the weekly
Standard

AUGUST 13, 2001

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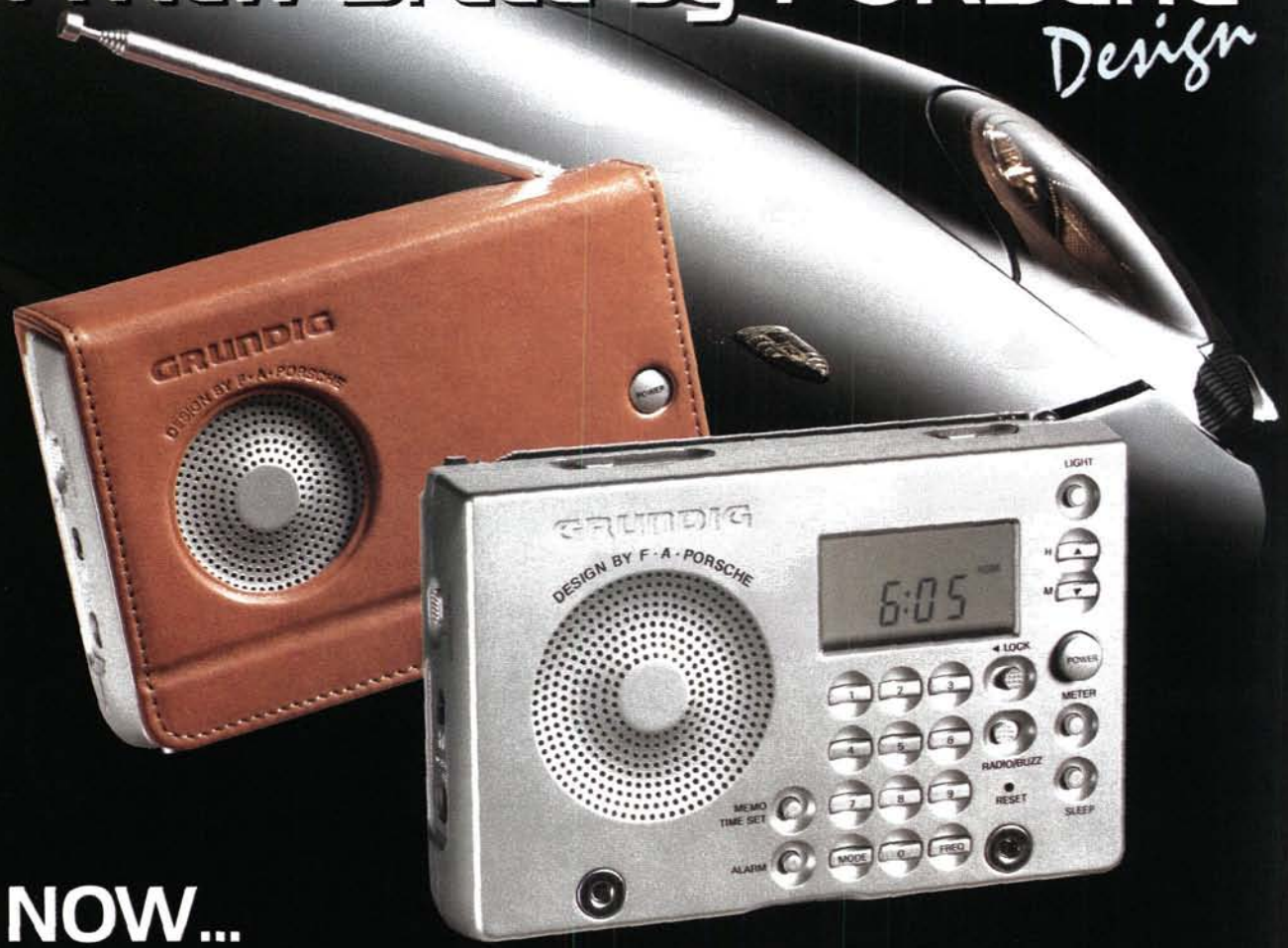

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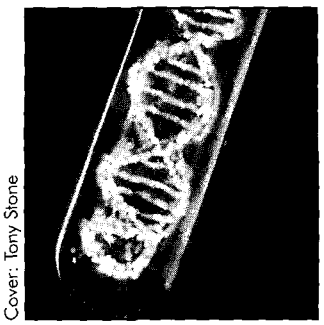

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the weekly Standard

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The Man from GLAAD

Through the years, the Gay & Lesbian Alliance Against Defamation (GLAAD)—the jackboot division of the gay community—has displayed a gift for publicity-seeking, whether breathlessly chronicling the media appearances of Ellen DeGeneres, counting the number of gay characters on *Dawson's Creek* ("Jack continues to be out and proud at Capeside High"), or attacking the likes of Mel Gibson and Dr. Laura for homophobia. At the same time, GLAAD has operated as a behind-the-scenes pressure group with a surprising amount of success influencing the content of TV shows and movies. The secret, it turns out, is to shake down people who are sympathetic to you. Witness GLAAD's ambush of director Kevin Smith.

Anyone who has watched Smith's movies (from *Mallrats* to *Chasing Amy*) knows that the only way Smith could be more gay-friendly is if he dropped his wife for Harvey Fierstein. His characters are often a knot of what he calls "ambisexual" desire—earning him admiring notice from the *Advocate* magazine: "For a straight dude, Kevin Smith can get awfully queer." But that's not good enough for GLAAD. In a letter made public by Smith last week, Scott Seomin, GLAAD's unfortunately named entertainment media director, bullied Smith with a mau-mauing style that makes one admire Jesse Jackson's light touch.

After screening Smith's latest satire, *Jay and Silent Bob Strike Back*, Seomin promised a "public and aggressive . . . condemnation" for such atrocities as Smith's allowing his protagonists, both of whom sport room-temperature IQs, to "substitute the word 'gay' for something that is wrong or stupid." Seomin acknowledged that it might be too late to change the film, but requested a personal meeting to discuss "how you will be interviewed" when Smith meets the press to discuss the movie, and "how GLAAD moves forward with its concerns."

How GLAAD moves forward, of course, is with brass knuckles raised and its begging bowl extended. We were prepared to feel sorry for Smith, until we read his cringing response. Here is Smith's description, published on his website, of his conversation with the gay thought police:

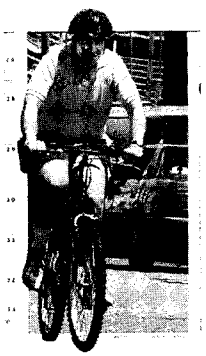
> [Seomin] said he'd be asking Miramax to make a substantial donation to the Matthew Shepard Foundation (Matthew Shepard is the Wyoming student who was beaten to death for being gay in one of the worst hate crimes in recent memory; the Foundation's aim is to educate the public on the dangers of homophobia). I said I'd be happy to make a donation as well, as it's a great cause, and one I believe in strongly. He asked how much I'd like to donate. I queried how much he intended to seek from Miramax. He said two hundred grand. I admitted I don't have pockets as deep as Miramax. He suggested I donate ten grand, and I said "Done."

Smith goes on to embarrass himself further by asserting that he could never make a homophobic film: "Here's why: I grew up fat. Even though I'm a white male, being fat my whole life still puts me in a minority category as well."

Smith once joked, "I'm sure there's a GLAAD award somewhere in my future." Typically, people win GLAAD laurels for the most naked panders to the gay community. May we suggest that after reading Smith's letter, GLAAD should pencil him in for a lifetime achievement award. ♦

Tour de Schumer

Could New York's senior senator be feeling overshadowed by New York's junior senator? This, we suspect, is the subtext of the novel-length puff piece on Chuck Schumer in the July 27 *New York Times*, describing how, when he's not languishing in Hillary's shadow or laying the groundwork to squash President Bush's judicial nominees, Schumer puts in a few miles winding through Brooklyn on his bike. It was an article worthy of one of the most attention-crazed members of the Senate (which is saying something).



Sen. Schumer

Here are some choice excerpts (with thanks to SCRAPBOOK reader Kitty Slattery, whose stamina exceeds ours, for slogging through all 2,700 words with her highlighter):

"He is on one of his almost-weekly adventures: tooling around the city he loves, turning left when he sees something in one direction, right when something else catches his eye, going straight ahead just to feel the sun and wind on his face."

***

"A woman asked Mr. Schumer to say hello for her to Trent Lott. . . . 'Trent is a lovely guy,' he answered."

***

"'Probably none of them know that I'm responsible,' he said regretfully, referring to the streets chock full of Polish immigrants. . . . 'Most of these people probably don't know it, but

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they're here because of the Schumer visas,' the senator said, hitting on what politicians call 'the talking point.'"

***

"'What I like about these rides,' Mr. Schumer said, 'is that you never know where you'll end up.' This day had not been a Tour de Brooklyn, much less de Greater New York. It had been a delightful dance with serendipity."

After you've disposed of the motion-sickness bag, file this one under "the myth of the adversarial press." Memo to Chuck Schumer: Your communications director deserves a raise. ♦

Welfare, My Lovely

A new and extensive study by former Congressional Budget Office director June O'Neill and M. Anne Hill provides yet more proof that welfare reform works. From the time legislation was passed in 1996 to September 2000 (the most recent available caseload statistics), the number of families on the dole has declined by 50 percent. Employment gains have been greatest among disadvantaged single mothers. The study, just published by the Manhattan Institute, finds that the Temporary Assistance to Needy Families program is "the most important single factor accounting for the decline in welfare and the rise in work participation among single mothers," responsible for "more than half the decline in welfare participation and more than 60 percent of the rise in employment among single mothers." These same mothers entered the workforce nearly as quickly as they left the welfare rolls. The booming economy, on the other hand, accounted for less than 20 percent of either change.

O'Neill and Hill rightly call this "dramatic progress." Just don't tell that to the media, which is instead eagerly reporting the findings of the Child Trends research center that children of welfare-to-work parents are drinking and smoking more and experiencing declining grades. Whereas, these same kids, we are supposed to believe, were paragons of virtue when their mothers were unemployed and living at home on AFDC. THE SCRAPBOOK is dubious but open-minded—and also more than a little amused to find the Left finally warming up to the concept of the stay-at-home mother. ♦

Keeping in Mind the Olympic Spirit (cont.)

Wang Guoqi, a Chinese doctor, testified before Congress on June 27 that the scavenging of organs from executed prisoners is routine in China. A foreign ministry flack, Zhang Qiyue, called this a "vicious slander." Now a woman named Fu Mulan has sued the Chinese government for stealing the kidneys of her executed brother.

Intriguingly, Fu Mulan's story, "Where Did My Brother's Body Go?" has just been reprinted on the website of the *People's Daily*, which is the house organ, as it were, of the ruling Communist party. This is either progress of a small sort, or the prelude to a purge of unreliable editors at the *People's Daily* online. ♦

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Casual

Snoodist Colony

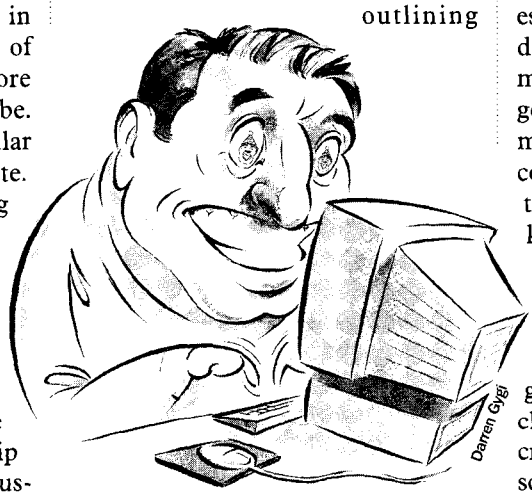
"Jeez, it's four o'clock already," I said to my colleague Andrew Ferguson recently. (At four o'clock yesterday, in fact.) "What am I going to write my Casual on?"

"Why don't you write about that stupid video game you've wasted your whole day playing?" said Andy. "Sploodge." He is referring to Snood. When it was installed on a computer down the hall a year ago, I made the mistake of mastering it. Today, there's no one in the office who can touch me on it. On-screen, five varieties of clown face are randomly arranged in nine rows that hang from a kind of ceiling; the player gets to fire more clown faces at them out of a tube. Every time you cluster three similar clowns together, they evaporate. Pockets develop, and by banking the little clownie-things through them, you can cause great masses to calve off with a satisfying *krzzzh!*

It's to this technique that I owe my high score of 44,545. If there's anyone in the entire Weekly Standard readership who's matched it—and I rather suspect there is not—I'd love to hear from him.

I'd also love to hear from anyone who can tell me how to stop. Because Snood is starting to eat up whole afternoons. The thing fascinates me. It tantalizes me. I begin to understand that relative of James Thurber's who would tinker with a broken piece of machinery for hours, before shouting, "*Will somebody please take this goddamn thing away from me!*"

I also begin to understand for the first time what an addiction is. It's a desperate need to simplify. An addiction is a gravitation towards anything that plausibly mimics life while being less complicated than life. I used to laugh at those who said you could be addicted to an activity, like gambling or shopping. Not anymore! I know what a gambling addict is. He's someone who—rather than think about the mortgage, how big a raise he'll get next year, what the old lady spends on groceries, what's happening to the stock market, and whether to consolidate his debt—decides to roll a pair of dice, which is a way of addressing *exactly the same problems*. (Not the best way, of course, but certainly the simplest.) Same here. Rather than navigate my way through a complex idea by making twenty phone calls and outlining



and writing ten paragraphs, I navigate my way through a complex make-believe landscape by pressing a button and watching clown faces tumble from the ceiling.

What a con. What a waste. What an empty, sterile, deathly experience compulsion is. You know those hayseed Southern Methodists who evoke snickers in every urbane novelist of the last two hundred years for saying things like, "Obadiah! A deck o' cards on the table is like ta settin' a place at dinner for the divil!"? Well, they're right.

And boy are we legion. The other day I flew home from Europe on Virgin Atlantic airlines. It was just terrible—a full plane with seats that would be real comfortable if you were a jockey or a member of the Romanian gymnastics team, or if you played a member of the Lollypop Guild in *The Wizard of Oz*, but otherwise not. I wouldn't wish that airline on *cattle*.

So how come everyone I've ever met has recommended Virgin as a particularly comfortable airline to fly? Because Virgin has taken the two great narcotic instruments for coping with modern discomfort—the television and the refrigerator—and put them to maximum use. The seats may be so close together that you can't even *open* a laptop, let alone use one—but there, lowering five inches in front of your cross-eyed face, is a TV screen which shows not just two movies but all the brain-numbing junk that the most lacking-in-inner-resources adolescent could desire.

As for the food, it seems an unnecessary expense to have stewardesses distribute it. It would probably be more efficient to fire it at the passengers with a hose. I counted four meals—not snacks, *meals*—in the course of our seven-hour flight, and they were all sad goody-meals, the kind of thing bulimics eat standing up at 3 o'clock in the morning with the only light in the otherwise dark kitchen coming from the gaping refrigerator door. At one point the guy next to me had on his tray a chocolate tart, a scone with clotted cream, Coca-Cola, beer, lumpy yogurt, some kind of cheezy-cheez snax, and a piece of cake.

Late in the flight, I noticed that there was a unison, a kind of synchronized-swimming aspect, to the way the passengers were shoveling the dainties into their mouths. A few passengers, however, about a quarter of those on board, were sitting calmly. Well, at least there are a few people on this flight, I thought, who aren't appetite-driven automatons. Then I saw one of them go into a momentary agitation, a paroxysm. I looked over and saw him clutching his Game Boy in both hands; on his screen little clownie-looking things were tumbling off the ceiling.

Christopher Caldwell

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You deserve a factual look at...

"Peace in the Middle East" (2)

Is the peace with Egypt an encouraging example for Israel?

Egypt is one of only two countries (the other is Jordan) with which Israel has formal peace agreements. Egypt is the largest and most important country in the Arab world. Its influence and support in bringing the current upheaval of the Palestinians to an end would be of greatest value. But does Egypt play any role at all as peacekeeper? And is the peace with Egypt an encouraging example for Israel as to what to expect in any possible peace with the Palestinians?

What are the facts?

Peace with Egypt is the coldest possible. For its agreement to make true peace with Israel, Egypt received the huge Sinai Peninsula in which Israel had invested over $10 billion. It had created flourishing cities, some of the most advanced military and naval installations in the world, and had developed oil fields that would have made it energy independent for the foreseeable future. Without firing a shot, Egypt received all of this, plus generous grants from the United States -- over $50 billion to date. What Egypt gave in return was a piece of paper. And even that was hedged. It would allow Egypt to join in an "Arab War" against Israel. The peace between Israel and Egypt, which the Israelis had envisioned to be like the peace between Germany and France, turned out, unfortunately, to be the "coldest peace" possible. It is less of a peace than a de facto state of non-belligerence. The Israeli ambassador in Cairo is totally isolated and blacklisted and does not participate in any official functions of the Egyptian government. There is practically no trade between the two countries and no cultural exchange. The public sector of Egypt, which constitutes 80% of the total economy, is forbidden to do business with Israel. Private enterprises are actively discouraged and often threatened when they try to become engaged with Israeli firms in any way. Israeli firms are barred from submitting tenders for local projects for "security reasons" and they are not allowed to participate in trade fairs. Although quite a few Israelis visit Egypt, hardly any Egyptians go to Israel, since those who do wish to visit are summoned to the security police for severe harassment and lengthy interrogation.

> "Israel's government must be commended for proceeding with the greatest caution in its dealings with the Arabs, and especially in any possible peace negotiations with the Palestinians."

Not forthcoming on diplomatic front. More Israelis have been killed in Egypt or on the Egyptian border than even on the Syrian border. Egyptian media, including the official press, are full of anti-Israel and anti-Jewish venom, preaching hatred and prejudice. There have been numerous instances of "crazed" Egyptian soldiers shooting up Israeli buses traveling along the border highways, to the general applause of the media. In one especially gruesome instance, an Egyptian police officer machine-gunned seven Israeli tourists, who had inadvertently ventured into Egyptian territory; his colleagues stood around preventing medical help from reaching the victims, all of whom bled to death. Among the seven were four children. The media hailed the killer as a national hero.

On the diplomatic front, the Egyptians aren't any more forthcoming. Egypt spearheaded the campaign to keep the "Zionism is racism" resolution alive in the U.N. When it was finally repealed, Egypt walked out. Egypt also exerted and still exerts much effort to prevent African countries from establishing or renewing diplomatic relations with Israel. Egyptian diplomats, including Butros-Butros Ghali, former secretary general of the United Nations, lobbied fervently against the loan guarantees that Israel needed in order to absorb and settle the hundreds of thousands of Jewish refugees, who had already arrived and are still arriving, from the former Soviet Union. Hosni Mubarak, who has been president of Egypt since 1981, has not once deigned to set foot in Jerusalem, nor has he made any other friendly gesture towards Israel in those twenty years.

Egypt is armed to the teeth with the most advanced weapons in the world -- most of which (sad to say) have been provided by the United States. Egypt is not being threatened by any of its neighbors -- and that includes Israel, whose fervent desire is to live in peace with the Arab world. The enormous accumulation of weaponry by Egypt is for one purpose only -- namely to be able to strike at Israel when the occasion is deemed to be propitious. The only saving grace is that, contrary to the situation on Israel's northern and eastern fronts, the vast Sinai, which serves as a buffer zone, is provided with early warning systems and Israel is therefore not subject to surprise attack. But if the peace with Egypt is any example of what could be expected from a peace with the Palestinians (if such a thing could ever be brought about), it is certainly most discouraging. Peace can come to the area only if and when Egypt and the other Arab countries truly accept Israel as part of the Middle East. Israel's government must be commended for proceeding with the greatest caution in its dealings with the Arabs, and especially in any possible peace negotiations with the Palestinians.

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Defending Defense

I enjoyed reading the July 23 editorial, "No Defense," by Robert Kagan and William Kristol. The article contained the most accurate reporting I have seen on the state of the defense budget and the disastrous repercussions the recent tax decreases will have on future defense spending.

As a member of the House Armed Services Committee, I appreciate the honesty and insight of this article. Our country's leaders and citizens need to be made aware of the importance of our nation's military and the challenges to adequately fund it.

U.S. Rep. Gene Taylor
(D-Mississippi)
Washington, DC

Catch Him by the Wits

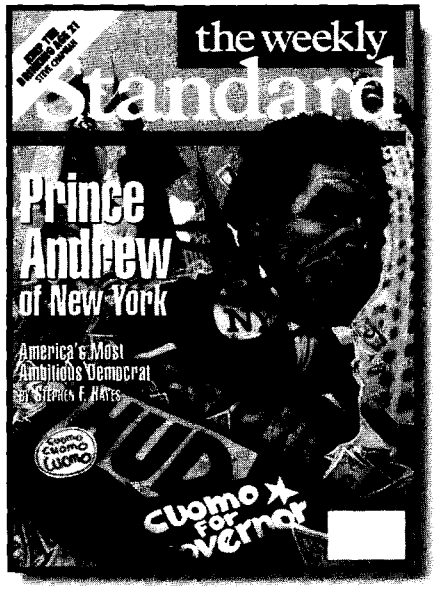
In an otherwise well-argued piece ("A Cowering Superpower," July 30), Reuel Marc Gerecht comes to the patently absurd conclusion that a hail of cruise missiles and cluster bombs would stop terrorists such as Usama bin Laden. While bombing the Taliban's leadership and troops in response to a terrorist attack may make us feel better, it will not stop the threat posed by Al Qaeda.

Airpower alone has a woeful history of changing state behavior. Systematic bombings did not bring Saddam Hussein to heel in the Gulf War, nor did they convince Slobodan Milosevic to vacate Kosovo (until NATO began publicly planning a ground offensive). Similarly, America's 1986 strikes against Libya did not deter Tripoli from bombing Pan Am 103 two years later. The only goal airpower could achieve is to turn Mullah Omar into a martyr among extremists, just as President Clinton's 1998 cruise missile strikes turned bin Laden into a hero.

There is no substitute for good intelligence and well-executed covert action. By treating every stray remark in an intercepted phone call as an imminent threat, the military has failed to meld its signal intelligence with information about Al Qaeda's intentions and abilities. America's armed forces and intelligence agencies must better integrate their analysis to avoid more embarrassing debacles.

A series of covert and open actions could systematically dismember Al Qaeda. The 1997 capture of Mir Amal Kansi, who killed two people at CIA headquarters in 1993, is the best road map. With a $2 million bounty on his head and a combined FBI-CIA effort pursuing him, Kansi was captured without a shot. By applying the same methods to the larger problem of Al Qaeda, the United States can neutralize the threat without resorting to fruitless bombings.

Bill Shingleton
Senior Fellow
National Defense Council Foundation
Alexandria, VA



Healthy Justice

The July 16 article "Does Inequality Make You Sick?" by Sally Satel and Theodore Marmor does not seriously question the said hypothesis but suggests that public health workers should stick to "proven strategies to better the health of the population."

If these proven strategies—which presumably mean the dos and don'ts that as a doctor I have preached for almost 30 years (don't smoke, drink moderately, wear your seat belt, use condoms, see your physician)—work, then why has our health in comparison to other countries—all much poorer than us—declined over the last few decades even as fewer people engage in these bad behaviors? The gap between the United States and the leader in the "Health Olympics" is so big that one way we could close it is to avoid counting all the deaths from heart disease, our number one killer. Does anyone seriously think that this is possible through education about the usual dos and don'ts? Especially when the healthiest country in the world, Japan, has twice as many male smokers as we do?

Throughout history, effective public health strategies have been waged in the political arena by pursuing major social transformations, be they lobbying for the end of child labor, promoting universal schooling, or, more recently, mobilizing to curb nuclear weapons, an effort that received a Nobel Prize a few years ago.

Our relative decline among nations in health outcomes suggests that good health is not a priority in this country. Provision of health care, wherein we spend almost half of the world's budget for such services, appears to be important. But that clearly does not buy us health. If health is to become important in America, then the ways to achieve it will require political remedies to change the structure of this country so that everyone shares more fairly in the pie. Everyone, not just politicians, will need to get involved when our health becomes important to us.

Stephen Bezruchka
School of Public Health and
Community Medicine
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Sally Satel and Theodore Marmor advance the strange notion that public health researchers and research agencies should not be involved in the translation of research into policy. They criticize the NIH, CDC, and a large mainstream foundation for supporting this type of radical transgression.

I believe it is a responsibility of public health researchers to go as far as possible in applying their work to inform policy, not only to improve health in the aggregate but to make its distribution more just. This necessarily involves looking beyond, as well as at, the most proximate factors—such as disease organisms or

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chemical exposures—to the policies that can influence people's exposures and resiliencies. There is no clean line of demarcation, as Satel and Marmor imply there is, between "prescribing" policy and merely reflecting on it; in both cases there must be high standards for evidence and analysis.

It is noteworthy that the authors seem to attack exclusively those researchers who study questions having explicit implications for social justice policies. Social values can and should influence the kinds of questions that researchers study. This should not be confused with compromising the scientific standards that guide how we study those questions.

Furthermore, in this article and in earlier statements by Satel, I am misquoted, in a manner that portrays my views, and by extension those of other public health researcher-activists, as simplistic and polemical. The first statement that you falsely attributed to me in the recent article—suggesting that capitalism is the sole or direct cause of illness—is as indefensible as the authors' notion that a public health researcher should not examine—or publicly discuss—how political, economic, and social factors may influence health and the determinants of health.

The authors need to be more careful in the future.

PAULA BRAVEMAN
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SALLY SATEL AND THEODORE MARMOR RESPOND: Drs. Bezruchka and Braveman make several claims. First, Braveman asserts that we misquoted her. One of us (Satel) attended her talk at the 1996 annual meeting of the American Public Health Association in New York City. According to Satel's notes, Braveman said that "illness is caused by the power imbalance in a capitalist society. . . . Even if those living on the lowest rung of the social ladder had sufficient material resources, their health would still suffer because they are deprived relative to others." She suggested that a solution was to "counteract the free market with social programs." On the basis of these notes we stand by our story.

Second, our understanding of the factors that contribute to disease is far more subtle than Bezruchka implies. Personal behavior (e.g., smoking, diet) surely plays a considerable role, but it is not the entire story. The undisputed fact that the Japanese enjoy longer life spans despite higher rates of smoking indicates as much. The study of social determinants of illness is, as we have said, a proper field of scholarly inquiry, but great care must be taken to distinguish correlation from causation. For example, even if income inequality correlates with poorer health, the causal mechanisms underlying the relationship would still require explication. In a radio debate on July 30 with one of us (Marmor), Bezruchka readily acknowledged that income inequality is a "proxy for something we don't fully understand."

As for the relative differences in health between countries, this very ambiguity about the determinants of a population's health status undermines Dr. Bezruchka's cross-national comments. Dr. Bezruchka regards the health status of America's poor as sorely lacking, reasoning that, relatively speaking, the poor of other industrial nations have improved their health status more in the past quarter century. The United States's relatively slower rate of improvement, however, does not constitute a decline, something to regret, or anything of the sort; it does present a puzzle, the answer to which has to do with a number of factors, including the availability of health insurance.

Finally, both Bezruchka and Braveman seem to think we are challenging their right as citizens to promote their idea of social justice and to advocate certain political viewpoints. Nothing could be further from the truth. What we argue is that the public health community has no special expertise in defining and achieving social justice. Health professionals are misguided when they presume that public health expertise endows the profession with special authority to prescribe policies concerning wealth redistribution, labor laws, education, and nuclear war. Instead, the special province of public health is the scientific analysis and practical development of mechanisms to prevent and track injury and disease. To embrace a global social action agenda distracts from the profession's vital mission and may well trivialize less ambitious but worthy public health initiatives.

IN THE BISHOP'S HOUSE

FORTUNATELY FOR BOTH God and man, the Church resides in the hearts, minds, and souls of Christ's adherents, not in the buildings that house their services. While it is the case that Bishop Jane Dixon legally controls Christ Church in Accokeek, Maryland, under both secular and canon law ("Intolerant Episcopalians," June 16), she only controls a very pretty, historic building. Parishioners are free to ignore her at their pleasure, although they might eventually meet for services in another location.

Ironically for the Anglican Communion, principled opposition to the kind of doctrinal nonsense advocated by some American and English bishops is being effectively mounted by conservative bishops from countries, such as those in Africa, where the faith was originally introduced by colonial missionaries.

As I recall from an address a few years ago to an Episcopal Laymen's conference by a now-retired bishop, as the clergy and laity worry more about platitudes and secular issues than the faith, the Church is in constant danger of being reduced to a mere "ecclesiastical club" for its remaining members. At least they'll have some pretty clubhouses.

DONALD F. WISEMAN
Memphis, TN

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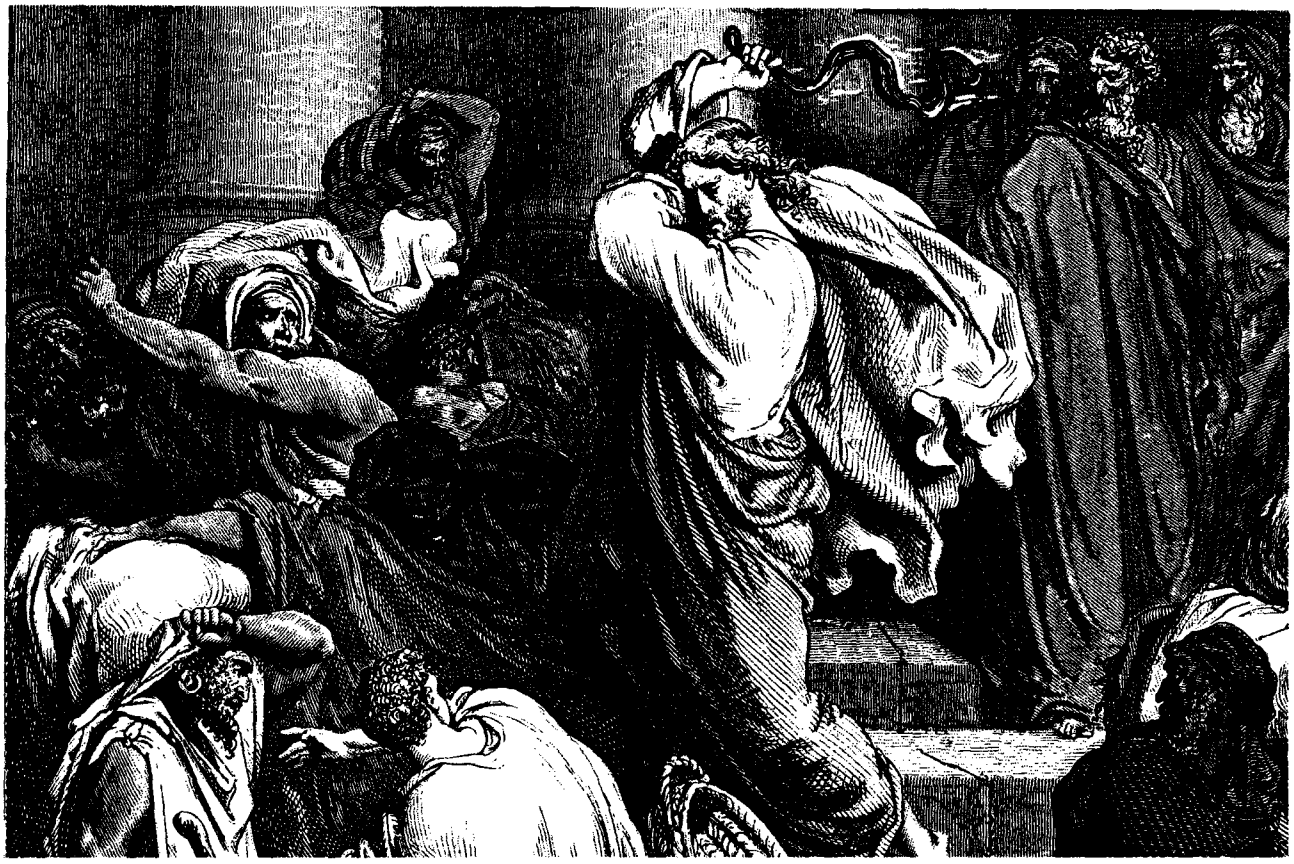
So...You're Intolerant !



Well, so was He.

Jesus more than "offended" the moneychangers; He "intolerantly" threw them out of the Temple. He said "mean-spirited" and "hurtful" things to people — *hypocrites, brood of vipers, sons of Hell,* etc. He was more than "insensitive" to unrepentant sinners; He warned that Heaven would not be "inclusive" of them.

The war between good and evil is not just between the Church and the World; it's being waged inside the churches, where the voices of iniquity have found a booming echo. Those voices speak beguilingly of "tolerance" and "diversity": Premarital sex? "Why, kids can't help it." Abortion? "Women must be free to choose." Homosexuality? "Diverse strokes for diverse folks." Porn? "Lighten up." Adultery? "Be understanding." Assisted suicide? "Be compassionate." Moneychangers in the Temple? "Hey, people need to make a living."

But the forces of libertinism don't just want to be tolerated; they're now demanding and getting approval. If you don't go along with the crowd, *you* won't be tolerated. You will nonjudgmentally be judged to be "intolerant" — and banished to Outer Darkness to wail and gnash your teeth. This is what's happening in many Christian churches today. We at the NEW OXFORD REVIEW, an orthodox Catholic monthly magazine, refuse to throw Christ out of the Temple. If you're willing to stand up for Jesus in the face of accusation — or if you need your backbone stiffened — subscribe today!

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the weekly Standard

Let's Have an Argument

Most presidents retreat to the bully pulpit after suffering a setback, but George W. Bush has done the opposite. Following the Jeffords defection, President Bush went down into the trenches, conducting detailed negotiations with members of Congress, and visiting the Capitol building to personally move legislation.

This has yielded some startling victories. The Bush administration seemed to have painted itself into a corner on the patients' bill of rights, but it is now likely to get a bill it can live with. The administration supported a bill to ban human cloning; the House passed it by 103 votes. House moderates seemed all set to defect from the Bush energy plan, as they had defected on arsenic regulations and other environmental matters. But after intensive White House lobbying, Republican unity held. These victories are a tribute to Bush, Dick Cheney, White House legislative director Nick Calio, and perhaps most of all to Tom DeLay's always impressive whip operation.

But these are tactical victories. In some cases, the administration has merely succeeded in promoting a slightly more responsible version of a Democratic initiative. If the Bush administration is going to seize the initiative on big issues, if it is going to win strategic victories as well as tactical ones, if it is going to be able to strike fear into the hearts of Senate Democrats, then President Bush is going to have to use the bully pulpit to frame issues and shape public opinion.

This has so far been the most unrhetorical presidency of modern times. And the media abhors a vacuum. Because Bush hasn't been dominating the airwaves, the media commentators have been able to. Bush makes liberals in the media more powerful by not using the power of the White House to offer a competing view.

This inability, or unwillingness, to articulate an argument has hampered the administration on issue after issue. When presidents can't get their initiatives passed, they always say it is because they can't get their message out. Usually that's bunk. But in the case of the Bush administration, it's true. For example, substantively the Bush administration proposed a balanced energy policy, which had a nice mix of conservation measures, infrastructure improvements, and supply enhancements. But the plan was presented so badly, it was cast as a production-only sop to corporations. Then when the Bushies pointed to conservation measures that were always in the plan, they were seen as weakly trying to placate the environmentalists.

Earlier this summer, President Bush went abroad and produced several impressive achievements. He and his administration have done a good job of promoting missile defense—making it look inevitable to Russia and the Europeans. He scuttled bad treaties like the Kyoto global warming accord and an unenforceable germ warfare agreement. But these were all back-room successes. In each case, the Bush administration failed to deliver the sort of reasoned argument that would have explained why it was taking the position it did.

On Kyoto, for example, Bush behaved admirably. During the Clinton administration, the Department of Energy estimated that implementing the treaty would shrink the GDP by 4 percent. No Senate is going to ratify a treaty that will send the economy into a steep recession. Nonetheless, knowing that the treaty was never going to be implemented here, Bush could have gone along cynically. That's the European—and Clintonian—way. He could have pretended to support it, knowing full well that it would never be sent to the Senate floor for a ratification vote. Or, he could, as he did, take the honest approach.

The American people, who like to see their leaders acting honestly instead of cynically (the European nations shot down coal-inhibiting regulations in Brussels, even as they trumpeted their virtue on Kyoto), could have been rallied on this issue. But President Bush never made the case. So on Kyoto as on so many other issues, Bush was cast as the bad guy. This encouraged Democrats to take more aggressive lines on a whole range of economic and environmental matters.

It's often said that Bush doesn't enjoy the bully pulpit role. Or that he's not good at it. The second assertion

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seems to us false. Bush is no Bill Clinton; he is no master of off-the-cuff wonkery. But when he gives a set speech, he does it well. The Republican convention speech was a success. His Inaugural Address was a glowing success. Early in his presidential campaign, he gave a series of thoughtful and innovative speeches that gave a lift to his candidacy.

As for not enjoying the speechifying role, well, right now it looks like a few speeches might make the difference between a transformational presidency and a merely managerial one. If Bush is going to break the deadlock that is stifling action in Washington, he is going to have to articulate a long-term vision.

Right now the Bush administration is strategically crippled. Some worthy White House official recently leaked a "strategy" plan to the *Washington Post*. The document outlines a fall's worth of goo: The president is to urge members of the media to put more good news in the paper; the president will champion ideas like instant messaging between grandparents and grandkids. These ideas are so minuscule and innocuous, they are an insult to the memory of Dick Morris. Worst of all, they are compassionate conservatism without the conservatism. They represent an effort to wage a values campaign without actually articulating any values.

No wonder this administration often seems more defensive than it really is. No wonder Democrats don't fear Bush the way Republicans used to fear Bill Clinton. Bush doesn't seem to have that magic ability to move opinion.

But he could. He could replicate the early successes of his campaign by delivering a series of formal substantive speeches. These don't have to be prime time, network-televised addresses. But they could be promoted beforehand. Aides could brief reporters and pundits on these speeches before he delivered them. Some of the news channels would cover them. They'd turn into subjects for the newspaper columnists and grist for the television talk shows. In a thin political season, Bush would have the stage to himself, and could shape the national discussion among those who still care about politics and policy.

Most of all, an administration that takes seriously its rhetorical duties would have to take up again the task that it began during the campaign but has abandoned in the White House: that of defining compassionate conservatism and the role of government. In office, the Bush administration has been all over the place—siding with Ted Kennedy here, stuffing Tom Daschle there. But if conservatives are going to build a working majority, they need to do something more. They need a president who will give life to the old conservative mantra that ideas have consequences. Right now it seems that President Bush believes that they don't.

—David Brooks, for the Editors

Michael Ramirez

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Advertisement

Police end marijuana seizures

New effort to halt tide of hard drugs

Special report: drugs in Britain

David Rose, Anthony Browne and Faisal Islam
Sunday July 8, 2001

The Observer

Britain is to abandon the hunt for cannabis smugglers and dealers in the most dramatic relaxation of policy on the drug so far.

Instead the Government has told law enforcement officers, including Customs officials and police, to target resources on 'hard drugs', such as heroin and cocaine.

Under the new strategy - part of the most radical shift in drugs policy for a generation - large-scale cannabis seizures and prosecutions will now take place only as a by-product of investigations into Class A drugs.

Last week with the blessing of Home Secretary David Blunkett, police in Brixton, south London, abandoned their policy of prosecuting people found with small amounts of the drug.....

The relaxation of policy on cannabis follows changing public attitudes to the drug. This weekend senior Tory MP Alan Duncan supported Peter Lilley, the former deputy leader of the Conservative Party, who called for the legalisation of sale of the drug in licensed outlets.

Ash director Clive Bates said: 'We would legalise cannabis in its non-smokable forms, such as in cakes, tea or droplets. There's irrationality and inconsistency in the policy on tobacco, soft and hard drugs. Even if you legalised cannabis in its smokeable forms you couldn't come close to the harm done by cigarettes, because no one smokes 20 joints a day.'

Can we learn from the Brits?

Kevin B. Zeese, President, Common Sense for Drug Policy
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Big Man on Capitol Hill

George W. Bush ignored the conventional wisdom and won a string of victories. **BY FRED BARNES**

FOR MONTHS, the most cherished notion of Democrats, the media, liberal interest groups, and the permanent Beltway establishment has been that President Bush could no longer govern from the right. Vermont senator James Jeffords's noisy defection had shifted the balance of power in Washington away from Bush. His clout on issues big and small would be lost, moderate Republicans on Capitol Hill would bolt, his popularity would plummet—all unless he scooted to the left. Bush stubbornly refused. So what has happened? He's regained control of a good chunk of the national agenda, the moderate revolt fizzled, and his popularity is rising. Now there's a new conventional wisdom: Bush isn't a political cripple, after all.

There shouldn't have been serious doubt about his ability to govern in the first place. Even when Democrats grabbed the Senate in May, Bush and his allies kept control of two-thirds of the governing process, the House and the White House. "That's not nothing," says Republican strategist Jeffrey Bell. President Clinton held his own for six years with only one-third. By using his presidency and the House effectively, Bush has produced a string of congressional victories this summer: a faith-based initiative, a ban on cloning, an energy bill that includes oil drilling in the Arctic National Wildlife Reserve (ANWR), and a patients' bill of rights. Yes, as the surplus shrinks, there are troubles ahead on spending bills, taxes, defense, Medicare, and Social Security reform. But because the balance of power still works to Bush's advantage—and to Democrats' disadvantage—he is still much more likely to prevail.

The fallback argument of Bush's foes is that victories in the House have little impact. Nope, they have great impact. Passage of a Bush-endorsed patients' bill of rights has now cast Democrats as the chief obstacle to a signing ceremony in the Rose Garden. Will they compromise in a Senate-House conference to get a bill to Bush? They insist they won't. But their intransigence has already backfired once. The bipartisan group of three senators and three House members who've crusaded for a patients' bill refused to consider a deal acceptable to Bush. This appeared to make a presidential veto inevitable. Fearing the opportunity for closure on the issue would be lost, one of the group's members, GOP representative Charlie Norwood of Georgia, reached his own deal with Bush.

The truth is actions by the House are rarely ignored by the Senate. Soon after a weakened version of Bush's faith-based initiative cleared the House, Democratic senator Joe Lieberman went to the White House to discuss with Bush how to get a bill through the Senate. The day after House passage of a cloning ban, Senate majority leader Tom Daschle faced press questions about his own view on human cloning (he's opposed). And once the energy bill got House approval, Democrats began mobilizing in the Senate to thwart it. Senators John Kerry of Massachusetts and Lieberman vowed to filibuster any attempt to match the House's okay of oil drilling in the Alaska reserve. Fine, and their announcement shows once more that when the House puts the Senate on notice, the Senate reacts.

This summer, Bush and his allies have learned a few lessons about Washington. One is that a division of labor often works. House speaker Denny Hastert and whip Tom DeLay pushed the energy bill with practically no White House involvement. They recruited the Teamsters and construction unions to help get Democratic votes on ANWR drilling. This produced 38 votes, more than enough to win, says deputy whip Roy Blunt. And winning was critical because, says Blunt, "the energy bill without ANWR would not have been seen as a victory for the president."

Bush and his aides took responsibility for the patients' bill of rights. The president got credit for lining up Norwood. But, in fact, Norwood lined up Bush. Norwood, an ex-dentist, admires Bush enormously. He was the first major Georgia Republican to endorse Bush for president and traveled with him several times in the campaign. Norwood found negotiations with Bush aide Josh Bolten to be frustrating, but after he sat down with Bush in the Oval Office last week, a deal was quickly struck. It was Norwood's list of suggested compromises that he and Bush discussed. When Bush agreed to them, they rushed to the White House press room to announce the deal.

Another lesson is that so-called bipartisan compromises are often a trap. The genius of the Senate-passed patients' bill of rights was supposed to be its support by both Democrats and Republicans, from Senator Ted Kennedy on the left to Norwood on the right. But as with bipartisan campaign finance reform, liberals were the dominant influence. Norwood began warming to a compromise with Bush when he realized at least three of the six members of the

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pro-patients' bill group were happy to have Bush veto the bill. He discovered Democrats are eager for bipartisanship so long as it means support for liberal legislation. But they claim it isn't bipartisanship if the legislation is conservative, such as when Bush got a dozen Democratic senators to vote for his tax cut.

There's also the lesson of Republican moderates: Their revolts always fall apart. Their problem is generic. Most live by their wits in House districts that aren't congenial to Republicans. That they have few deep convictions makes it easier for them to adjust. But they're constantly reacting to pressure—from constituents, from the media, from their party. On important votes, the greatest pressure comes from the White House and GOP House leaders. They've held together against their party leaders on only one vote this year, the rule for taking up campaign finance reform on the House floor. And by blocking that rule, they killed their own bill.

Finally, there's the veto lesson. Bush has been wary of threatening a veto. On the advice of Nick Calio, his congressional lobbyist, and adviser Karl Rove—and against the wishes of communications director Karen Hughes—he vowed to veto the Senate version of patients' rights legislation. Norwood, among others, came to believe him, thus setting in motion the talks that led to a deal. A veto threat worked again last week when Senate Democrats backed away from tacking $2 billion on the emergency farm bill. It may work if Bush follows his aides' urging and promises to veto a transportation bill that unfairly limits Mexican trucks in this country. Anyway, Bush has found the veto, or at least the threat, is a tool worth utilizing.

Had Bush and company been paying attention to the moderate Democratic Leadership Council, they'd have learned about another source of Bush's strength. Democratic pollster Mark Penn, speaking to a DLC gathering in Indianapolis in July, called it a "values shield." It comes from the president's being honorable and decent, a nice guy, and it shows up in polls. Bush is preferred over Democrats by 42 percentage points on "sharing your values," by 30 on honesty, and 21 on standing up for what he believes. The shield protects him from Democratic attacks on substantive issues, Penn said. It also means that even on his worst day, he's got more clout than anyone else in Washington. ♦

The Patient's Right Not To Sue

How about a right to opt out?

BY JAMES D. MILLER

I DON'T WANT THE ABILITY to sue my health insurance company. Lawyers are expensive, so if my insurance providers know that I might sue them, they'll charge me more. Other people, in contrast, might want to pay for the ability to sue. A true patients' bill of rights would give all of us the choice.

Unfortunately, the congressional sponsors of the patients' bill of rights now heading for a House-Senate conference this fall seem to have forgotten the difference between rights and obligations. They want to force everyone to pay higher health insurance premiums in return for the ability to sue. But if I hate broccoli, forcing me to buy it increases my obligations, not my rights.

Those who believe that the legal system is an ineffective instrument for resolving disputes between patients and health insurance companies should not be forced to pay higher premiums for the ability to sue our insurance providers. If Congress really cared about rights, it would make the patients' bill of rights voluntary. Insurance companies could be required to offer some plans that permit consumers to sue them and others that prohibit consumers from suing them. Consumers would then have the right to choose the plan they wanted.

Liberals would obviously object to giving patients the right to be free of lawyers' fees. The Left would claim that if insurance companies could sell policies that did not provide for the ability to sue, they would do just that, in effect coercing poor or uninformed consumers into forgoing their rights. The Left would also argue that, if given the chance, greedy insurance companies would make it prohibitively expensive to buy a policy that provided the ability to sue.

These arguments would be wrong—precisely because insurance companies are greedy. If it costs, say, $100 to give a patient the right to sue, then a profit-maximizing insurance company will happily provide this right to anyone willing to pay more than $100 for it. Alas, liberals are unlikely to accept any argument based on the assumption that markets work.

To satisfy any genuine objections to making the patients' bill of rights voluntary, Congress could begin with a limited test. It could allow only a small segment of the population to opt out of the bill's provisions—only college graduates making over $60,000 a year, say; or it could permit insurance companies to sell such opt-out policies to up to 10 percent of their customers. Allowing even 10

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percent of Americans to forgo a patients' bill of rights would provide a useful market test of the bill's value.

Normally, it is difficult to determine the cost of governmental regulation. But the difference in the price of health insurance policies with and without the opt-out would quickly reveal the true cost of the patients' bill of rights. Such a test would also show whether health insurance companies treated those who could sue them differently from those who could not. Would insurers withhold vital treatment from those unable to file lawsuits? Would they practice wasteful defensive medicine on those who could? The number of people who chose to buy insurance without the ability to sue would provide Congress guidance as to whether to make the bill voluntary for everyone. If only a very few people took advantage of the right to opt out, then it would be reasonable to assume that almost everyone would want the right to sue. If most opted out, then it would be obvious that the patients' bill of rights catered to trial lawyers but not most patients.

As a rule, Republicans tend to incorporate choice in their policies, while Democrats don't. For example, President Bush's Social Security proposal would give Americans the right, but not the obligation, to invest part of their Social Security retirement funds in the financial markets. Even though the president, presumably, believes most people would be better off with their funds in the market, he isn't seeking to force this choice on all. Most Republicans believe that the poor are ill-served by the public schools currently offered them. And Republican proposals on school choice are designed to give the poor the right, but again not the obligation, to send their children to private schools.

It's easy to see why Democrats want to force all Americans to pay the freight for the ability to sue their insurers. But why are Republicans going along? Shouldn't they insist on giving citizens the choice of opting out of the patients' bill of rights? ♦

The Gall Stoning

The Democrats claim their first Bush victim.

BY BERNADETTE MALONE

IF GEORGE W. BUSH can't get his own Toy-Safety Czar confirmed by the new Democratic Senate, what chance does he stand when he nominates someone who is actually controversial, for a position that actually affects American life?

By a party line vote last Thursday, the Senate Commerce Committee spurned Mary Sheila Gall, Bush's nominee to chair the Consumer Product Safety Commission. Though former President Bush had made Gall a commissioner in 1991 and she'd been reconfirmed without incident in 1999, Democrats—egged on by the Senate's self-appointed patron saint of children, Hillary Rodham Clinton—sent the single working mother of two packing instead of giving her the $8,000 raise and management duties she'd earned by 10 years of service to the commission. (She is, after all, the only Republican on a three-person commission whose chairman serves at the pleasure of the president, now also a Republican.)

Why? Gall's chief Senate defender, John McCain, gave this unvarnished view of her reception by the committee: "What she faced was a group of senators with rope in their hands. For partisan reasons, Ms. Gall was going to be hanged regardless of what she said."

Votes she cast on baby bath seats, bunk beds, and infant walkers during her decade on the commission proved Gall too lenient for the committee's new Democratic majority. She also occasionally blamed negligent parents instead of manufacturers, they said. No matter that Gall cast those votes against mandatory regulations before 1999, when she was supported by many of the same Democrats who voted against her Thursday. No matter that she voted with the two other commissioners—both Democrats and Clinton appointees—93 percent of the time. Democrats have control of the Senate again and are flexing their muscles. The only person who could have helped Mary Gall was George W. Bush. But where was he when his handpicked chairman was being unfairly labeled—get this—soft on toys before a media craving another confirmation battle?

Far from being nonchalant about the welfare of children, Gall has demonstrably invested her personal, educational, and professional energies in its pursuit. Her own son was severely disfigured by fire—caused by a toppled candle—before she adopted him from a Guatemalan orphanage some two decades ago. But the public didn't hear this from the White House. The public didn't learn that Gall had toiled as a Health and Human Services employee with the Head Start program, or that she had worked with special needs children while pursuing her master's degree.

The only peep the White House made was a statement from spokesman Ari Fleischer saying the president stood "proudly and tall" behind his nominee. Though Democrats raised objections to Gall as early as April, Fleischer's statement appeared in the press on Wednesday, one day after we inquired why the White House hadn't spoken up yet and one day before Mary Sheila Gall's nomination was scheduled for a vote. But by then, after months of demonization, Gall was as confirmable as Irvin Mainway, the character on *Saturday Night Live* who sold children's toys such as the Bag of Broken Glass and Halloween costumes like Invisible Pedestrian (a black jumpsuit and

Bernadette Malone is the editorial page editor of the Union Leader *and* New Hampshire Sunday News.

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mask to be worn in nighttime traffic).

Perhaps the White House is choosing its battles with the Democratic Senate carefully, and that's why it let Mary Gall twist in the wind. But this was a battle it could easily have won by disseminating the facts. Besides, doesn't it embarrass President Bush that his first nominee to face official Senate rejection is someone whose 30-year government career clearly qualifies her to chair this obscure agency? The more likely conclusion is that George W. Bush—like Mary Gall—was snookered by one Ann Winkelman Brown.

A Clinton appointee to the CPSC, Ann Brown now holds the job for which Gall was nominated. Chairman Brown is a high-dollar donor to the Democratic National Committee and frequent contributor to Democrats on the Senate Commerce Committee. She is also an old ally of Hillary's from the board of the Children's Defense Fund and former agitator for Americans for Democratic Action.

A savvy political operator, Brown is perhaps the figure most responsible for Mary Gall's undoing. At least that's what all of Gall's supporters are whispering but refuse to say on the record. And that's certainly what Senator McCain, ranking member of the Commerce Committee, implied Thursday in his prepared statement:

"It concerns me deeply that the former Executive Director of the CPSC who was appointed by the current Chairman was on the dais for a short time during the hearing, just as the poisonous comment that the current Chairman made after last week's hearing about her long-time colleague, Commissioner Gall, whom she had previously praised, concerns me."

Poisonous. An appropriate word to describe the Clintonian turnaround Ann Brown pulled on Mary Gall. "I always knew it would be you, and I think you'd be good for the Commission," Brown reportedly told Gall when her nomination was announced. "You've been here a lot longer than I have, so there will be no transition," a Gall staffer recalls Brown saying.

Mary Sheila Gall

Earl Keleny

Gall cited Brown's support when she came under fire at her July 25 hearing. After all, Clinton appointee Thomas Moore—the third CPSC commissioner—publicly supported Gall and was present at the hearing, despite their disagreements over baby seats and other particular votes. Brown was conspicuously absent from that hearing—traveling in Italy. Yet despite her remote location, she managed to rebut Gall's claim the same day: "I told Commissioner Gall that I expected her to be nominated and confirmed, but I would not support her. I do not support her because I disagree with her philosophy, which I think would put children and families in danger," Brown told the *Washington Post*.

Pamela Gilbert, the former CPSC executive director to whom McCain referred, irked senators by lingering behind them at Gall's confirmation hearing. This Brown ally was in regular enough contact with Democrats on the committee that she felt comfortable invading a space on the dais reserved for their staffs. The *Washington Post* reported on Gilbert's actions August 1, and Gilbert responded, "I wasn't there as a Democrat. I was there to lend my expertise." To Democrats.

On the day of the vote, Gilbert took a cue from her former boss and went on vacation. But her PR flack, Sean Crowley of M&R Strategic Services, made the rounds at the press table to hand out Gilbert's business card and cell phone number for immediate comment on Gall's demise. "Did you see even Mary McGrory came out against Gall?" Crowley whispered to reporters at the committee meeting.

Brown's footprints are all over Mary Gall's neck. But why would Brown want to hang on to a job that pays her only $133,000 a year? (This is a pittance for a woman who is listed in the Social Register as having

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homes in Little Washington, Virginia; Martha's Vineyard, Massachusetts; Palm Beach, Florida; and a tony Northwest neighborhood in Washington, D.C.) Possibly the public spotlight.

On December 18, after the presidency was decided and it became clear Gall would be nominated to replace Brown, Brown told Bureau of National Affairs reporter John Whalen that these things take a long time. Brown's own appointment to the commission had come only two years after Clinton was elected, she reasoned. Until Bush moved on a replacement, said Brown, it would be "business as usual—plus."

"It was such an unusual and funny quote we used it as a headline," recalls Whalen, who writes for BNA's trade publication *Product Safety & Liability Reporter*. What could "plus" possibly entail? Sources close to Brown and Gall believe it meant pouring all the perks of her incumbency into a high-powered job hunt. Such as appearing twice last week on NBC's *Today* show.

"I've never met a microphone I didn't like, and I plan to use this agency as a bully pulpit," Brown said at a 1994 press conference. Whose microphone is she after? One friendly acquaintance of Brown's thinks she is following the "Liddy Dole" model—hoping to land a high-profile position at the American Red Cross or United Way. Other people who know Brown think she is trying to land a network job as a consumer affairs reporter, which would explain the increasing frequency of her television appearances in recent weeks.

Whatever happens, Ann Brown is an old Washington hand who will land on her feet. One may speculate whether it was her cunning that derailed Mary Gall's nomination and short-circuited her career, or President Bush's timidity.

If responsibility belongs at Brown's feet, then the next nominee to chair the CPSC ought to be on guard. If the responsibility is Bush's, then anyone nominated by the White House in the next three years should beware. ♦

Send Us Your Rebate . . .

The ultimate in self-serving leftist crusades.

BY STEPHEN F. HAYES

PATRICK PATT IS TICKED. The wealthy ex-superintendent of a suburban Chicago school district is so peeved about recovering $600 of the money he paid in taxes last year that he wrote a letter to the *Chicago Tribune* about it. Patt reveals in his letter that he and his wife paid $50,000 in federal income taxes last year, and, he concedes, "collectively earn a good salary." But to those who believe this sum entitles him to a rebate that amounts to about 1 percent of that total, he says: "Wrong!"

In his letter, he connects the rebates to income inequality, local school funding, child poverty, and campaign finance reform. In a subsequent phone interview, he throws in "drilling in the Arctic" and "tax incentives for oil companies." The tax plan, he insists in the letter, is "illogical, irrational and immoral legislation." He believes all of this because the federal government is returning money to those who paid it.

Patt is not alone. (Okay, statistically speaking, he's almost alone.) Some 973 of the 95 million Americans who will get rebates have signed a petition at *TaxRebatePledge.org*. At least a few hundred other Americans are furious, too, about getting their money back. And inevitably, lefty groups are loosely organizing a protest. In addition to *TaxRebatePledge.org*, other protest websites—*rebateTHIS.org*, *rejecttherebate.org*—have sprung up to encourage protest donations to left-wing nonprofits.

Each of the sites invites protestors to comment on the rebates (and, apparently, whatever else crosses their mind as they type). It's probably a stretch to call the postings entertaining, but they're amusing in a vague, people-really-believe-this-stuff sense. (One rebate protester, Sally Arnold from California, told a reporter from the *Progressive*, "One of my friends was saying the money they're giving away could be used to put solar panels on every public building.") After all, these are people who not only believe that they're taxed too little, but who get cartoon-character hopping mad—steam from their ears and everything—that the federal government isn't doing more. Say "problem solver," and they think of the fat-tie, short-sleeved-shirt bureaucrat brigade, the guys who sleep with their government ID badges around their necks.

One of the more frequent complaints is that the rebates are simple bribes—a cash-for-votes scheme. C. Dykstra of Potomac, Maryland, writes on *rejecttherebate.org*: "Mr. President: don't try to buy my support through insulting cash rebates. I'd rather you used the money for better causes!"

The *Nation* magazine has even gotten into the act by launching a fund-raising drive based on the rebate. The neo-pinko magazine proudly announces on its website its 136-year history of profit-seeking failure and even reprints the federal rebate schedule to give readers a heads-up on their checks. When the money comes, explains the pitch, readers can simply sign over the actual rebate check by writing "Pay to the Order of The Nation Co. L.P." and dropping it in the mail.

If securing the future of the Old Left's flagship publication isn't

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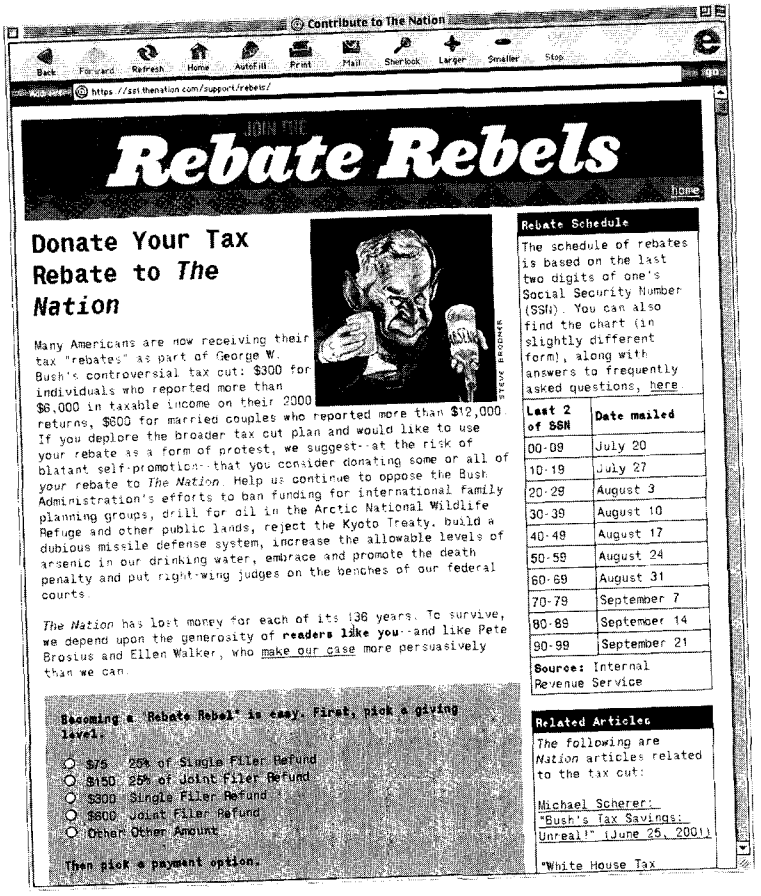
enough, the magazine throws in an added incentive: "*Nation* publisher Victor Navasky will include the names of all Nation Rebate Rebels in a future letter to the White House." Interestingly, the magazine's "Rebate Rebel" campaign essentially sets up two possible outcomes: (1) The *Nation* rakes in tons of cash and has conservatives to thank for its fiscal stability; or (2) self-styled progressives succumb to the greedy impulses of capitalism and decide to pay off a credit card, put the money in the bank, or buy back-to-school outfits for their kids.

A recent CNN/*USA Today*/Gallup poll found that an overwhelming majority of Americans plan to do just that. Forty-seven percent plan to pay bills or debts. Another 32 percent said they will save or invest the rebate, and 17 percent said they'll spend it. Only 2 percent indicated they plan to give the money to charity.

The whole issue is rather confusing for the Democrats who opposed the "irresponsible" Bush tax package. The Democratic National Committee initially had the same idea as the *Nation*, and asked supporters to send their rebate money to the DNC. National Democrats quickly abandoned that plan when it turned out to be a PR disaster, but some local Democratic groups haven't given up. Liberal politicians and interest groups continue to hit the Bush tax plan as excessive, the rebates as a gimmick.

"This bill is a monument to fiscal irresponsibility," said senator Kent Conrad, a Democrat from North Dakota, shortly after the bill was passed. "It threatens to put us back into deficit, back into debt. It threatens to invade the trust funds of Social Security and Medicare." But even as congressional Democrats are disavowing the tax plan, they're embracing the rebates. Sort of.

At a news conference last week, Senate majority leader Tom Daschle first gave credit to President Bush for the rebates, then said Democrats should share in the credit, then worried about draining the Treasury, and finally boasted that Democrats themselves came up with the plan. "We support it," he said of the rebate package. "As I said, it was our idea in the first place." Actually, socialist congressman Bernie Sanders of Vermont is widely credited with first proposing rebates, but perhaps that's close enough.



As rebate opponents trumpet their charitable giving, it's fair to wonder whether they're not actually reinforcing the main point of Bush's tax cuts: Individual taxpayers should decide how to spend their own money. If they believe that the rebates jeopardize necessary government spending, congressional Democrats should simply tear up their rebate checks. The money then stays in the Treasury.

Some imprecise calculations: If half of the 260 congressional Democrats are married, and all of them and their wives leave their rebates in the Treasury, the government will be $117,000 richer. It's not a lot of money, but it's enough to fund a Hillary Rodham Clinton Bridge in upstate New York, or a Paul Wellstone Park in Minnesota. Add the 9,000 (combined guesses of some really smart people) Democratic staffers on Capitol Hill and in the political committees, and do the same math. Bingo, another $4.05 million.

The Senate is half Democratic, the House is essentially half Democratic, the White House vote in 2000 was half Democratic, so let's say that of the $38 billion in tax rebates, half goes to Democrats. If all Gore voters receiving a rebate burn their checks, mark "Return to Sender," or simply let them sit in a drawer somewhere, some $19 billion will remain in the federal kitty. (Actually, Democrats probably make up a bit less than half of those getting checks, and of course, not all taxpayers will have voted.)

Don't like marginal rate cuts? Pay more! Down about the death of the death tax? Send a check! Don't need no stinking child tax credit? Blow it off! The larger point is this: If those who oppose the rebate put their money where their mouth is, so to speak, they can negate much of its effect and alleviate much of their worry by simply doing nothing. ♦

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NYPD Red

What are Chinese police doing in New York?

BY ELLEN BORK

IT'S A FAIR BET THAT in his 30 years of policing, Zhao Zhifei, the deputy commissioner of China's Hubei Province Public Security Bureau, had never been sued. Then he came to New York. On July 18, Zhao was served at his Manhattan hotel with a $50 million civil suit under federal laws that allow foreigners to be sued for crimes against humanity and violations of international law. The suit, filed by a relative of two members of the spiritual group Falun Gong who allegedly died at the hands of Hubei police, charges that Zhao is the second ranking official in Hubei province's "610" bureau, named for June 10, 1999, when the Chinese government established a special office to destroy the Falun Gong.

Ellen Bork is a writer on foreign affairs living in New York.

The Falun Gong's lawyer said he didn't know what Zhao was doing in New York. I do. Zhao and 22 other senior police officers from Hubei were attending a seminar 40 blocks uptown at the John Jay College of Criminal Justice at the City University of New York. For two weeks, the group attended classes at John Jay's 10th Avenue campus. The syllabus lists, among other topics, crowd management, corrections issues, and organized crime. In addition, the group took field trips to Rockefeller Center to observe a private security operation, to the New York police laboratory, and to the federal prison in Brooklyn. One day, they drove out to Connecticut to see the famous forensic expert Dr. Henry Lee, of O.J. Simpson fame.

At the end of the program, the officers posed for pictures in front of Chinese and American flags in John Jay's soaring atrium and received certificates of completion mounted on plaques. The certificates were signed by Robert J. Louden, a 21-year veteran of the New York Police Department who administers the program for John Jay, and Lawrence N. Ding, the middleman who brings the cops over and sees that John Jay College is paid through a company called Forerunner International. According to Ding, the Chinese government ultimately pays the fees. This is the fifth Chinese police group he's brought to John Jay. Two more groups are planned in the next several months.

"Do you think everyone in jail is guilty?" asked the instructor in a class on the use of DNA in criminal prosecutions. The cops looked puzzled. The instructor moved on. He mentioned the statute of limitations, eliciting a buzz of confusion from the audience, unfamiliar with this due process guarantee. Now we're getting somewhere, I thought. But the instructor was simply explaining that DNA allows police to indict a DNA sequence, obviating the need to identify a suspect and holding open the possibility of later prosecuting someone for the crime, should a suspect with the right DNA be identified after the statute of limitations has expired.

In the sessions I attended there were only passing references to defendants' rights and the legal basis for police conduct and investigative techniques. Louden told me that he viewed training Chinese police no differently than training police from democracies or emerging democracies. The fact of China's political sys-

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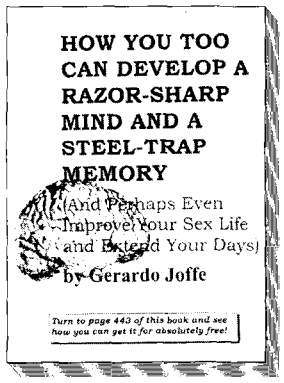

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tem, which subordinates police and courts to the Communist party—that's "not an issue," he told me. "As an academic institution we deal with any and all comers." As for whether instructing Chinese police brings up questions of the difference between the American and Chinese systems, he said not particularly. "Someone will say something about Tiananmen Square, and they answer, 'What about what happened to Rodney King?'"

I sat next to Zhao one day and chatted with him during the breaks about what his men got out of the course. "It is crucial for police to be aware of what [techniques] are available and how it impacts on our work," he said through a translator. As for differences between American and Chinese policing, "some things are the same, some things are different." What about political crimes? I asked, and he replied, "We do not have political crimes."

The next day, Zhao was served with the suit, and he did not appear for the last day of the course, though Ding wouldn't say where he was. After the farewell ceremony, Ding and his group headed off down I-95. To Philadelphia, Baltimore, and Washington, he said, though he was careful not to say exactly what they would be doing.

I don't know where they went. Neither, apparently, did top officials at the State Department, despite the fact that U.S. consular officers in China had approved visas for the group. According to a senior State Department official, the visit by the Hubei cops "caught everybody by surprise. Nobody here was aware they were coming" or what they were doing.

Louden knows that the secretary of defense has frozen contacts between the U.S. and Chinese militaries, but he says he has never contacted or been contacted by the U.S. government about the seminars for Chinese police. The program has proceeded without interruption, Louden said, except during the surveillance plane incident in April, when the Chinese delayed the arrival of a group for training. I asked the State Department official whether the U.S. government really ought to be able to keep track of such visitors, and he said, "That's a good question."

The John Jay College seminars are a small but perfect instance of "engagement" and its dangers. While engagement enthusiasts see virtually any contact between the United States and China as good, skeptics note that activities like this police training, divorced from larger policy goals and conducted either deliberately or inadvertently "under the radar," send a dangerous signal to Chinese authorities.

They seem to say: Go ahead. Conduct the biggest campaign of persecution against your people since Tiananmen Square—against democracy and labor activists, religious believers, the Falun Gong, and U.S.-based scholars of Chinese descent—but come to the United States anyway. Learn police techniques at one of our top law-enforcement programs, and we won't bother to know what you're up to, let alone make sure your visits advance the principles and interests of the United States, rather than those of the Chinese Communist party, which Zhao and the Hubei Public Security Bureau serve. ♦

Michael Ramirez

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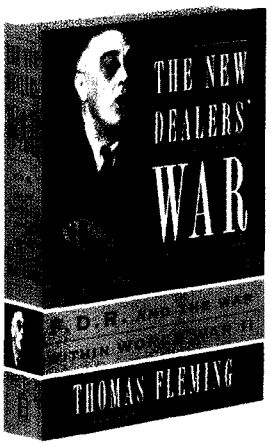

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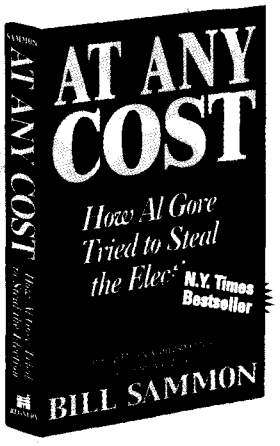

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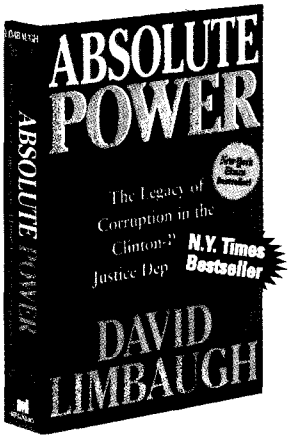

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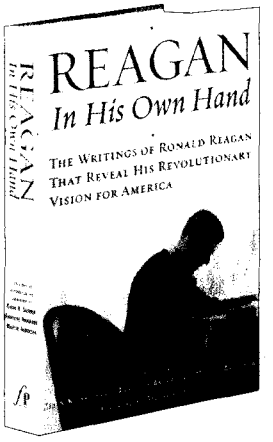

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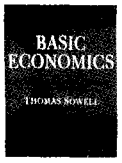

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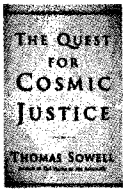

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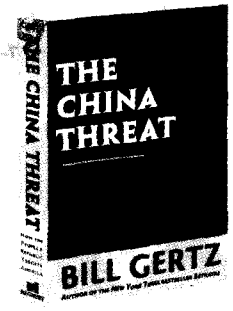

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Cloning, Stem Cells, and Beyond

Last week's House debate is just the beginning.

By Eric Cohen & William Kristol

Last week's vote in the House to ban human cloning is something to celebrate. It may even be something momentous. The House passed, by 265 to 162, a bill sponsored by representative Dave Weldon of Florida that would ban the creation of all human clones. It rejected an alternative sponsored by Pennsylvania representative James Greenwood, and backed by the biotech lobby, that would have allowed the creation of cloned human embryos to be used for medical research and then destroyed.

The Greenwood forces had corporate money and much of enlightened opinion behind them. They overpromised, misled, and demagogued, claiming, for example, that cloned-embryo research could one day "end human suffering," that cloned embryos "are not really embryos at all," and that a vote against such research is a "sentence of death for millions of Americans."

But the majority of the House—a larger majority than expected—refused to listen. They chose instead to halt (or try to halt) what Charles Krauthammer has described as "the most ghoulish and dangerous enterprise in modern scientific history: the creation of nascent cloned human life for the sole purpose of its exploitation and destruction." They defied the wishes of the medical research establishment, the biotech industry, and the health-at-any-cost humanitarians. They drew a bright moral line, which even the most well-meaning scientists would not be permitted to cross.

Whether this line will hold in the long run—and even whether the Senate will pass a similar cloning ban—is an open question. For while last week's House vote struck a blow against a Brave New World, it represents only the first public engagement in what will surely be a prolonged struggle, not just over cloning and stem cells, but over whether and how to regulate, control, and shape the genetic revolution that is upon us.

One lesson of last week's debate is that everyone claims to be horrified by the prospect of live human clones. Even the Greenwood bill ostensibly banned reproductive cloning. This suggests a broad willingness to accept some moral limitations, enforced in law, on scientific "progress." It suggests we still believe there are great and obvious evils that no amount of utilitarian or libertarian reasoning can justify, and which we must regulate, forbid, and criminalize in the public interest.

But we have also learned something else: Over one-third of the House of Representatives believes that corporations and researchers—like Advanced Cell Technology in Worcester, Massachusetts, which has already begun a research cloning project—should be left alone in the hope that cloned-embryo farms will one day prove a useful source of embryonic stem cells. And we know that majorities in both the House and Senate support federal funding for embryonic stem cell research, at least when the embryos are "leftovers" from in vitro fertilization clinics. Nor have we seen any urgent effort to ban the creation of embryos by private organizations—like the Jones Institute in Norfolk, Virginia, discussed in these pages two weeks ago—that pay women to help produce embryos for research and destruction.

And despite all the publicity surrounding the president's pending decision on embryonic stem cells, it is worth noting that his decision will be a limited one, touching only on the question of federal funding of research on stem cell lines derived from spare in vitro embryos. Even if the president maintains the current ban on funding, Congress will challenge him with a bill of its own—and may well try to broaden the permissible uses of federal funds. And whatever the president and Congress decide about federal funding, this research will presumably proceed apace in the private sector—and not just on leftover in vitro embryos but on embryos created solely for research and destruction.

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All of this means that last week's cloning debate in the House and President Bush's imminent stem cell decision are just the tip of the iceberg. The dilemmas over cloning and stem cells will inevitably force a much larger debate about where the modern technological project is heading: Is it moral to harvest potential lives to help existing ones? How about improving potential life through genetic engineering? Isn't the question of how stem cells may be used as morally troubling as the question of how they have been obtained? How reasonable is it, anyway, to try to end all disease and suffering? Do we have the wisdom and the will to preserve a distinction between medical therapy and eugenic enhancement? A line between a better human world and a new inhuman one?

In this opening skirmish—call it "the cloning/stem cell moment"—four basic positions have emerged. Each represents a different set of moral, political, and practical judgments about what is fundamentally desirable and what is not, and about whether even seemingly desirable advances may have very undesirable consequences. We might call the four camps the hubristic scientists, the squishy liberals, the anguished moderates, and the anti-Brave New Worlders.

The House vote suggests we still believe there are great and obvious evils that no amount of utilitarian or libertarian reasoning can justify.

Hubristic Scientists

The hubristic scientists favor medical progress at all costs, and are willing to use any means necessary to further unfettered research, which they equate with the good of mankind. To defend this position they deploy a number of strategies, not all of them true or consistent: the claim that mere legislators and uninformed citizens lack the expertise to make decisions about science; the claim that any "metaphysical" arguments for restricting science are unconstitutional transgressions against the separation of church and state; the assertion that because science is limited ("a method, not a faith," as biotech lobbyist Carl Feldbaum put it), religious people should not worry about its excesses; that because human beings are "more than our genetic make-ups," we should allow the geneticists to do what they deem necessary with the human genome; that nearly all religious people really want the fruits of the biological enterprise, even if their values initially give them pause; that the spirit of religion and the spirit of science are really the same; and, finally, the insistence that things are not what they seem—or more precisely in this particular debate, that embryos are not embryos and that the Weldon ban on human cloning is really an effort to undermine in vitro fertilization, the right to abortion, and indeed decades and centuries of medical progress.

Greenwood and his allies used all these strategies on the House floor:

"This is Congress again playing scientist," said Louise M. Slaughter, Democrat of New York.

"Now, here we are making a decision like we were the house of cardinals on a religious issue when, in fact, scientists are struggling to find out how human beings actually work," said Jim McDermott, Democrat of Washington.

"I am not prepared as a politician to stand on the floor of the House and say, I have a philosophical belief, probably stemmed in my religion, that makes me say, you cannot go there, science, because it violates my religious belief," said James Greenwood, Republican of Pennsylvania.

And Greenwood again, this time claiming to have God on his side: "It is a very legitimate and important and historic debate about how it is that we are able to use the DNA that God put into our own bodies, use the brain that God gave us to think creatively, and to employ this research to save the lives of men, women, and children in this country and throughout the world and to rescue them from terribly debilitating and life-shortening diseases."

Conspicuous on the House floor was contempt for so-called theocrats who would stop the compassionate march of medical progress—together with brazen confidence that God wants science to proceed unregulated. It was altogether an odd mixture of the hubris of the medical researcher seeking to lead his fellow men beyond nature, and the sentimentality of the post-Communist romantic, who sees in genetic science man's new hope for building a kind, just, and liberated heaven on earth. If the House debate is any indication, the path from such hubris and sentimentality to what C.S. Lewis called "the abolition of man" is quick and direct.

Squishy Liberals

The second position is that of the squishy liberals, best exemplified perhaps by the *Washington Post*. In October 1994, a National Institutes of Health panel of experts recommended that the government fund research that involved creating and destroying human embryos for research purposes alone. The *Post* disagreed, in a sharp editorial that called for "drawing the line." "The creation of human embryos specifically for research that will destroy them is unconscionable," the paper wrote. "The government has no business funding it. . . . It is

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not necessary to be against abortion rights, or to believe human life literally begins at conception, to be deeply alarmed by the notion of scientists' purposely causing conceptions in a context entirely divorced from even the potential of reproduction."

Fast forward to last week. On the day of the cloning debate, a *Post* editorial entitled "Cloning Overkill" sang a very different tune. All the caution and outrage and commitment to "society's ability to make distinctions" were gone. Now swept up in enthusiasm for stem cell research, the *Post* argued:

"The bill to ban all human cloning, proposed by Rep. David Weldon (R-Fla.), goes well beyond any consensus society has yet reached. . . . At issue is not the withholding of federal funding from research some find morally troubling; rather, the Weldon bill would criminalize the field of cloning entirely. . . . A complete cloning ban could block many possible clinical applications of stem cell research." And the only way those "applications" will be discovered is by creating cloned human embryos for research and destruction—the very thing the paper seven years earlier had deemed "unconscionable."

This is the way of the squishy liberals: They temporarily affirm some moral limits to scientific progress, only to cave when those limits are actually tested by a new wave of medical promises. They are putty in the hands of the less scrupulous avatars of "progress," who use the rhetoric of limits as a tactic against those who would resist them.

Thus, in the media crusade to win federal funding for embryonic stem cell research, advocates have made their case largely on the grounds that embryos left over from in vitro fertilization will be destroyed anyway. But the House vote shows that many pro-research congressmen are willing to go much further: 178 members (153 of them Democrats) voted to authorize the creation and destruction of cloned embryos.

Here the bait-and-switch dishonesty is remarkable. On July 27, over 200 members of the House wrote President Bush "to express our strong support for federal funding of embryonic stem cell research." The letter continues:

"The reports the week of July 9 that a Virginia laboratory has created human embryos to obtain stem cells for research purposes and a Massachusetts firm aims to create embryos using cloning techniques to derive stem cells for therapeutic purposes, make plain that this research, replete with moral, ethical, and scientific issues, is occurring in the private sector even as the federal government debates the issues. The only way to ensure that embryonic stem cell research is conducted with strict ethical and legal guidelines is to provide federal funding and oversight."

Signing the letter were Jim Greenwood, Peter Deutsch, and 165 others who voted for the Greenwood bill—the very purpose of which was to authorize the cloning of embryos that this letter pretends to find so alarming.

A vote for the Greenwood bill was a vote for the creation of embryos solely for research and destruction, nothing else. It was a vote for the very thing the *Washington Post*—and many defenders of fetal tissue research in the early 1990s—once explicitly rejected: creation for destruction. And so it is that the alliance of the hubristic scientists and the squishy liberals ensures that some moral limits are no limits at all—just bumps in the road.

Anguished Moderates

Which raises the question: Can real lines be drawn? Can limits be set and coherent and lasting distinctions made? For example, Republican senator Bill Frist of Tennessee has proposed that all human cloning and the creation of embryos solely for research and destruction be banned; that the total number of embryos used for research be limited, but that embryonic stem cell research from spare embryos be approved and federally funded; and that there be increased funding for adult stem cell research. This is the sort of compromise—one that claims to be intellectually coherent, morally grounded, and practically achievable—that the anguished moderates seek.

There are many types of anguished moderates. There are morally serious pro-choicers, like representative David Wu of Oregon, who defend abortion but take concerns about the use of embryos seriously, and who realize that even the benefits of research do not justify risking a leap into a Brave New World of human cloning. There are the "soft" pro-lifers, like senator Orrin Hatch and former senator Connie Mack, who believe research on leftover frozen embryos and opposition to abortion are mutually consistent positions, since, as Hatch put it, "Life begins in the mother's womb, not in a refrigerator." Finally, there are those who believe that human cloning and research on embryonic stem cells are both wrong, but that cloning is by far the greater evil. This group is willing, if necessary, to concede some forms of embryonic stem cell research if it can draw a bright line against human cloning. It adopts, in other words, a strategy of containment, a melancholy realism about where we are and what is possible.

There will be strong pressure on both the Democratic Senate, which must decide what to do about human cloning, and President Bush, who must decide whether or not to authorize public funding for embryonic stem cell research, to come down somewhere in this anguished center.

President Bush, if one takes his earliest statements seriously, believes that research on human embryos is wrong. He assured his pro-life supporters during the cam-

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Peter Steiner

paign and in the first months of his presidency that he would not allow federal funding for research "that involves destroying living human embryos." But now he must decide whether to hold to this position, or to give in to the massive pressure to authorize at least some federal funding for embryonic stem cell research. And he must also decide how strongly to push for a ban on create-and-kill embryonic research in the private sector.

Senate majority leader Tom Daschle has a different dilemma: The Democrats risk becoming the party of human cloning. After all, Democrats in the House voted 153 to 53 in favor of embryonic cloning; Republicans voted 194 to 25 against it. Daschle's comments after the House vote last week suggested that he is aware of this risk, and that he stands somewhere in the anguished center, if on its left-leaning, pro-research, pro-choice edge. In his statements, he went out of his way to separate the cloning debate from the stem cell debate—decrying cloning and endorsing stem cells. But what he and his party will do in the Senate is uncertain. His precise wording—"My preference is to ban cloning, period, but, you know, I also recognize that these are very, very complicated issues"—leaves some wiggle room. Will he challenge the research establishment and the plurality (perhaps even the majority) within his own party that approves of embryonic cloning? Or is health-at-any-cost the new defining principle of liberalism? Is this where the "pursuit of happiness" has taken us?

Anti-Brave New Worlders

Those in the last group, which includes the authors, share a foreboding about where the new science is taking us. Its members made up the core of support for the Weldon ban on human cloning, and comprise moral conservatives (mostly religious) and some on the morally serious environmental and anti-corporate left. They imagine with horror a future that looks like Aldous Huxley's Brave New World, C.S. Lewis's abolition of man, or Pope John Paul II's culture of death. And they want to stop it.

In his brilliant critique of human cloning in the *New Republic* in May 2001, Leon Kass began with the following admonition:

> The urgency of the great political struggles of the twentieth century, successfully waged against totalitarianisms first right and then left, seems to have blinded many people to a deeper and ultimately darker truth about the present age: all contemporary societies are traveling briskly in the same utopian direction. All are wedded to the modern technological project; all march eagerly to the drums of progress and fly proudly the banner of modern science; all sing loudly the Baconian anthem, "Conquer nature, relieve man's estate."

What we are debating now is whether we have any choice in how this march turns out, whether we can stop or turn back, and whether we even want to. It is in the nature of modern democracies, certainly American democracy, that issues move in and out of sight. At present, we are in the midst of a debate on embryonic research, human cloning, and stem cells. But the choices and advances that have placed these dilemmas before us did not happen overnight. They happened step by step, one innovation after the next. The dilemmas themselves were always there, if perhaps not always quite as pressing as they now seem.

Indeed, Kass's alarm in 2001 sounds similar to his

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warnings in the early 1970s, when he argued that the unnatural manufacture of human life through test-tube babies would lead us down a path on which it would be difficult to stop. But since then, after the initial shock and horror of each new technological development, there came a period of quiet momentum in its favor, then tacit acceptance, then normalcy.

Now, the issue is publicly joined. Are there moral markers that can hold? Can we preserve the benefits of medical progress without succumbing to a post-human future? Which of our past decisions—or non-decisions—must we revisit? And how solid are the compromises of the anguished moderates? There is, in the best of these compromises, perhaps some of the prudence of those, in the 1850s, who thought it was enough simply to halt the spread of slavery. But as with slavery, there are inconsistencies and temptations that make the anguished moderate position unsustainable. Even if some version of Senator Frist's hair-splitting prevails, it might well turn out to be a mere Missouri Compromise, with more fundamental battles just around the corner.

For example: Any compromise built on the distinction between leftover embryos and embryos created for destruction is problematic. Couples who create scores of extra embryos at fertility clinics, and who consent for their spare embryos to be used in research, know in advance that these embryos will be used and destroyed. Certainly, this is not the couple's main purpose in creating them—any more than destruction is the main purpose of researchers who create embryos in the noble pursuit of curing disease. In both cases, embryos are created by people who know in advance that they will be destroyed.

And what about private sector research on embryonic stem cells? If such research is morally objectionable, shouldn't it be banned, not merely deprived of federal funding? Moreover, if this work continues and succeeds, all users of modern medicine will benefit—and all will be implicated in the moral problem this "progress" raises.

Finally, even principled opponents of embryonic stem cell research and human cloning have not fully confronted the connection between the goal of relieving disease and suffering and the increasingly dehumanizing means of achieving it. Some defend doubling, tripling, quadrupling research on adult stem cells. Science itself, they say, dictates that we don't "need" embryonic stem cells, only adult ones—a point many leading scientists vehemently disagree with. And this is to say nothing of the morally problematic eugenic uses to which stem cell research—both adult and embryonic—will be put.

After all, isn't it our alleged "need" for such research that has eroded our ability to say no in the first place? Isn't it an inflamed desire for comfort, health, and longevity that impels us forward, that makes us justify what initially seems unjustifiable, that blinds us to the truth about human mortality and finitude, and about the dark side of our disease-ending civilization? To cure, after all, is to eliminate, to erase, to stamp out. What begins as a quest to halt disease may end as a "compassionate" effort to stamp out the diseased themselves. And soon enough, it is not just diseases and the diseased that are a problem to be done away with, but the inconvenient and undesirable—the unintelligent, or the old, or the unfit, or those of the wrong sex.

For now, the vote in the House to say no to human cloning, to reject the modern technological project's latest Faustian bargain, is heartening. Maybe this will lead to a more fundamental democratic engagement with the threat of science and technology to human decency and human dignity. But not necessarily. Perhaps instead it will take the first live human clone to shock us fully awake. Or perhaps the emergence of the first great stem cell cure—or eugenic enhancement—will erode our resistance, and our conscience, even further, luring us all unawares toward a post-human future. But last week's vote demonstrates that such a nightmare is not inevitable. ♦

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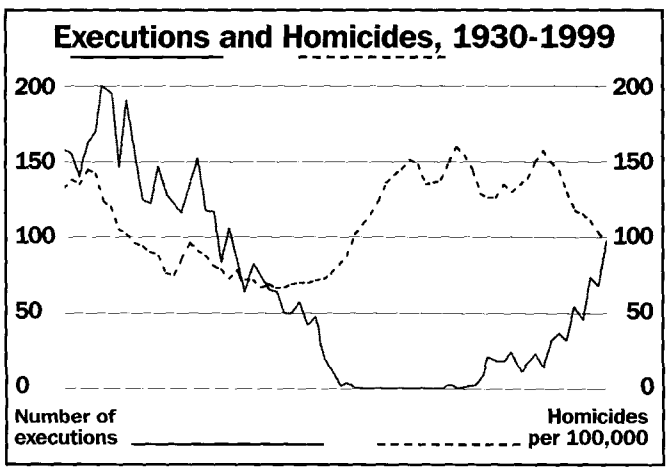
Capital Punishment Works

The states that execute murderers have seen the most rapid decline in murder rates.

By William Tucker

Executing people for murder deters other people from committing other murders. Common sense would suggest to anyone that such a deterrent effect must exist. After all, people do fear losing their lives. And based on the evidence, it's hard to see why anyone would doubt the deterrent effect of the death penalty. Murder rates, which had trended downward since 1935, took off almost vertically after 1963, the year the Supreme Court started overturning state death penalty convictions on a routine basis. With capital punishment in abeyance, homicides rapidly climbed to unprecedented heights. From 4.9 per 100,000 in 1963, they doubled to 10.1 per 100,000 in 1972, two years after the Supreme Court finally overturned all existing capital punishment statutes. The national homicide rate reached a peak of 10.7 per 100,000 in 1980. And after a decade of dalliance when states condemned over 2,000 to death but executed only a handful, the rate was still at 10.5 per 100,000 in 1991.



By the beginning of the 1990s, however, states that wished to reimpose the ultimate penalty had fought their way through the endless thicket of appeals and restrictions imposed by the courts. In 1991, 14 murderers were executed while 2,500 waited on death row. By 1993 the figure had risen to 38 executions, then 55 in 1995, and 98 in 1999, a level not seen since the 1950s. (The all-time high of 200 executions occurred in 1935.) At the same time, murder rates began to plummet—to 9.6 per 100,000 in 1993, 7.7 in 1996, and 6.4 in 1999, the lowest level since 1966. To put the matter simply, over the past 40 years, homicides have gone up when executions have gone down and vice versa.

Does this constitute proof of deterrence? Not a chance, say the critics. There's no evidence of cause and effect. Dozens of other factors could explain these numbers. The decline might be just a coincidence.

The same, of course, can be said of all statistical correlations. All the potential factors must be separated out before anyone can draw conclusions. The only way to obtain proof would be to conduct a social experiment. (Ernest van den Haag, a supporter of the death penalty, once suggested executing people only for murders committed on Monday, Wednesday, and Friday, to see if there would be any migration of violent crime to other days of the week.) But such experiments would be completely unethical.

The closest thing to this kind of experimentation that we have is the laboratory of the states—the differing death penalty regimes of the 50 states. And indeed, much attention has been lavished on the state-by-state figures, with the usual conclusion being that there is no

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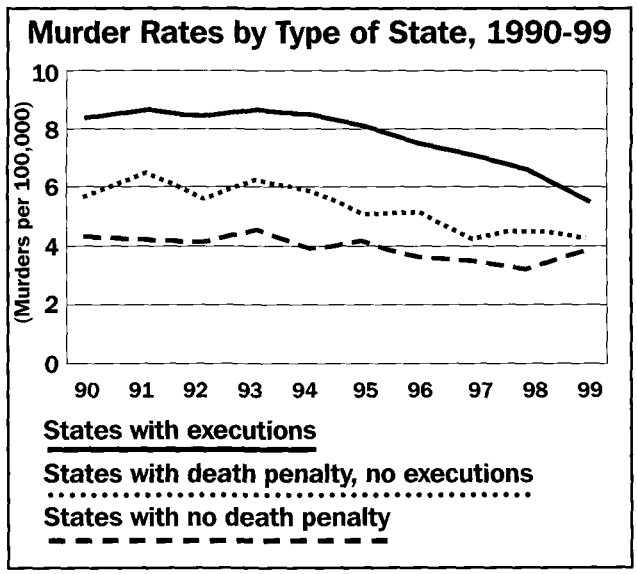
deterrent effect from capital punishment, or even that executions may have a reverse effect. "Death-penalty states as a group do not have lower rates of criminal homicide than non-death-penalty states," says the ACLU. "During the 1970s death-penalty states averaged an annual rate of 7.9 criminal homicides per 100,000 population; abolitionist states averaged a rate of 5.1."

In September 2000, the *New York Times* announced on the front page that its own survey had reached identical conclusions. "In a state-by-state analysis," said the report, "the *Times* found that during the last 20 years, the homicide rate in states with the death penalty has been 48 percent to 101 percent higher than in states without the death penalty. . . . Indeed, 10 of the 12 states without capital punishment have homicide rates below the national average, . . . while half the states with the death penalty have homicide rates above the national average . . . suggesting to many experts that the threat of the death penalty rarely deters criminals." Indeed, the figures might even support the allegations of some death penalty opponents that capital punishment *encourages* murder. After all, barbarity begets barbarity.

The *Times* study is not as definitive as it may have appeared, however. It used figures only through 1996, even though 1998 numbers were available. (The ACLU, which lists execution-versus-murder-rate statistics on its website to prove "Capital Punishment is Not a Deterrent to Murder," stopped counting in 1995.) And the graph that accompanied the article seemed to show homicide rates falling a lot faster in states with capital punishment than without. Finally, the *Times* decided to leave New York and Kansas out of its survey, because these two states had adopted the death penalty only in the 1990s. New York's tumbling rate of crime would have had a considerable effect on the results obtained. But those are the choices involved in any survey.

The important thing is that, as crime statistics from the years subsequent to the ACLU and *New York Times* research have unfolded, a very interesting pattern has emerged: States with death penalties indeed started with historically higher rates of murder. But since 1994, murder rates in these states have fallen significantly, so that the gap between the two groups has been more than cut in half. If current trends continue, the divergence will disappear altogether.

This pattern can be seen most clearly if you put the states into three categories instead of the *Times*'s two: (1) states that execute people for murder; (2) states that have adopted a death penalty but have not executed anyone, and (3) states that have no death penalty. (This solves the problem of New York and Kansas, which fall neatly into the second category.) At the beginning of the decade, the three groups ranked in that order, top to bottom, in their rate of homicide. Murder rates in states that execute people were twice as high as in states without capital punishment, while states with capital punishment that have not yet executed anyone fell almost exactly in the middle. This would suggest that a state's decision on whether to adopt and implement capital punishment was influenced by how serious the problem of murder was perceived to be.



Homicide rates have since fallen steadily in states that have performed executions, with the downward arc beginning in 1994. States with capital punishment but no executions have lowered their homicide rate but in a more uneven pattern. States with no capital punishment saw a slight decline that was almost completely wiped out by an upswing in 1999. Almost the entire drop in

Note: The figures in the graphic above were arrived at by averaging the homicide rates of the states in each group. This could be seen as unrepresentative. As in the U.S. Senate, a homicide rate in New York (population, 18.9 million) is weighed just as heavily as that in Delaware (783,000). Yet weighing the murder rates by population drowns the results from the smaller states and creates a figure determined only by a few large states. Since each state is, in effect, a separate experiment in the effects of capital punishment, it is more appropriate to weigh each state equally. The District of Columbia—a single city (572,000) with a murder rate almost ten times the national average and higher than anywhere in the world except South Africa—is not included. When District figures are averaged with the states lacking a death penalty, the line for jurisdictions without capital punishment is almost the same as the line for states that have capital punishment but no executions. Neither the New York Times *nor the ACLU includes the District of Columbia in its surveys.*

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murder rates over the past decade has occurred in states with capital punishment, with the biggest decrease seen in states that are executing people.

States without capital punishment are generally liberal Democratic strongholds—Maine, Vermont, Massachusetts, Rhode Island, West Virginia, Michigan, Minnesota, Iowa, North Dakota, and Hawaii. Wisconsin and Alaska also have no death penalty. One feature that most share is a cold climate. "The best policeman in the world is a cold night" is an old law-enforcement adage, and states with severe winters have traditionally had lower crime rates. All of these states (except Michigan) also have relatively small African-American populations. Since African Americans commit murder at six times the rate of other population groups, this is likely to produce lower murder rates.

States with capital punishment that have not yet executed anyone tend to be states with liberal politics and large minority populations. New York, New Jersey, Connecticut, and New Mexico are representative. (The others are New Hampshire, Kansas, and South Dakota.) Combined, these states have only 27 people on death row and have not executed anyone. Often this is as much a reflection of jury decisions as state policies. In Connecticut, for example, a jury recently refused to impose the death penalty on a 25-year-old drug dealer, already serving a 35-year sentence, who had ordered the execution of a woman and her 8-year-old son because the boy had witnessed the murder of his mother's boyfriend, for which the drug dealer's brother was being tried. Although this heinous crime sparked a revision of the state's witness protection program, the jury did not see fit to impose the death penalty.

Thirty-one states now have capital punishment and are performing executions. They are scattered across the map but tend to be concentrated in the South. Texas, Missouri, Oklahoma, Louisiana, Florida, Georgia, and Virginia have performed the majority of the nation's executions although Pennsylvania, Ohio, Montana, Idaho, Oregon, and Washington have had them as well. Generally these southern states have hot weather and large African-American populations, both of which have traditionally contributed to a higher murder rate.

Texas has had the highest number of executions (216 since 1990) and is constantly berated for it. Yet the results have been striking. In 1991, the state's murder rate was 15.3 per 100,000, second in the nation only to Louisiana. By 1999, it had fallen to 6.1, below 19 other states and close to the national average of 5.7. Florida (fourth in executions since 1990) has reduced its murder rate from 10.7 to 5.7. By contrast, non-executing New Mexico, with a similar climate and demographic profile, started the decade with a rate of 9.2 per 100,000 and ended with 9.8. Among the 31 states with executions, only four had a higher rate of murder at the end of the decade than at the beginning. Among the seven states with capital punishment but no executions, three finished with a higher rate of murder, while among the 12 states without capital punishment, five did.

More sophisticated evidence of deterrence is also emerging. In 1976, Isaac Ehrlich, a University of Chicago researcher in econometrics, studied month-by-month patterns of murder and executions from data extending back into the 1930s. He found a deterrent effect of about eight murders for every execution. Ehrlich's study was introduced in evidence before the Supreme Court when it reversed its moratorium on executions in 1976, but the paper has since been subject to endless challenge and alleged refutation. In any case, the data are now outdated.

In May of this year, Hashem Dezhbakhsh, Paul Rubin, and Joanna Shepherd, three Emory University economists, published an updated version of Ehrlich's analysis using county-by-county data gathered since the renewal of executions. "Our results suggest the legal change allowing executions beginning in 1977 has been associated with significant reductions in homicide," they conclude. "In particular, the execution of each offender seems to save, on average, the lives of 18 potential victims." The authors estimate a margin of error of plus-or-minus 10, meaning as many as 28 but no less than 8 potential victims are saved with each execution.

This solid evidence of a deterrent effect should become a part of the death penalty debate. Whether it is wrong to execute people who are retarded, whether the indigent get sufficient legal counsel, whether African Americans are over- or underrepresented on death row, the role of DNA evidence in death-row cases—all these are questions to be debated on their merits. To date, however, opponents of the death penalty have all too often simply asserted that capital punishment has been proved to lack a deterrent effect. This of course means that defenders of the death penalty get cast as defenders of some barbaric ritual—as if they were in favor of sacrificing a virgin in the springtime in order to ensure a good harvest.

To the contrary, capital punishment is a social policy that achieves targeted results. Its very success is what now allows people to talk about some of its secondary aspects in a tranquil environment. With murders down nearly 40 percent since 1991, public alarm has abated. Those who would use this opportunity to abolish capital punishment must reckon with the innocent lives that will be lost if they succeed. ♦

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Black Listed Cancer Treatment Could Save Your Life

Baltimore, MD— As unbelievable as it seems the key to stopping many cancers has been around for over 30 years. Yet it has been banned. Blocked. And kept out of your medicine cabinet by the very agency designed to protect your health—the FDA.

In 1966, the senior oncologist at St. Vincent's Hospital in New York rocked the medical world when he developed a serum that **"shrank cancer tumors in 45 minutes!"** 90 minutes later they were gone... Headlines hit every major paper around the world. Scientists and researchers applauded. Time and again this life saving treatment worked miracles, but the FDA ignored the research and hope he brought and shut him down.

You read that right. He was not only shut down—but also forced out of the country where others benefited from his discovery. That was 32 years ago. How many other treatments have they been allowed to hide? Just as in the case of Dr. Burton's miracle serum these too go unmentioned.

Two-Nutrient Cancer Breakthrough...

Decades ago, European research scientist Dr. Johanna Budwig, a six-time Nobel Award nominee, discovered a totally natural formula that not only protects against the development of cancer, but people all over the world who have been diagnosed with incurable cancer and sent home to die have actually benefited from her research—and now lead normal lives.

After 30 years of study, Dr. Budwig discovered that the blood of seriously ill cancer patients was deficient in certain substances and nutrients. Yet, healthy blood always contained these ingredients. It was the lack of these nutrients that allowed cancer cells to grow wild and out of control.

By simply eating a combination of two natural and delicious foods (found on page 134) not only can cancer be prevented—but cases reveal it could be healed! "Symptoms of cancer, liver dysfunction, and diabetes were completely alleviated." Remarkably, what Dr. Budwig discovered was a totally natural way for eradicating cancer.

However, when she went to publish these results so that everyone could benefit—**she was blocked by manufacturers with heavy financial stakes!** For over 10 years now her methods have proved effective—yet she is denied publication—blocked by the giants who don't want you to read her words.

What's more, the world is full of expert minds like Dr. Budwig who have pursued cancer remedies and come up with remarkable natural formulas and diets that work for hundreds and thousands of patients. *How to Fight Cancer and Win* author William Fischer has studied these methods and revealed their secrets for you—so that you or someone you love may be spared the horrors of conventional cancer treatments.

As early as 1947, Virginia Livingston, M.D., isolated a cancer-causing microbe. She noted that every cancer sample analyzed (whether human or other animal) contained it.

This microbe—a bacteria that is actually in each of us from birth to death—multiplies and promotes cancer when the immune system is weakened by disease, stress, or poor nutrition. Worst of all, the microbes secrete a special hormone protector that short-circuits our body's immune system—allowing the microbes to grow undetected for years. No wonder so many patients are riddled with cancer by the time it is detected. But there is hope even for them...

Six-time Nobel Nominee's Two-Nutrient Cancer Breakthrough Revealed

Turn to page 82 of *How to Fight Cancer and Win* for the delicious diet that can help stop the formation of cancer cells and shrink tumors.

They walked away from traditional cancer treatments...and were healed! Throughout the pages of *How to Fight Cancer and Win* you'll meet real people who were diagnosed with cancer—suffered through harsh conventional treatments—turned their backs on so called modern medicine—only to be miraculously healed by natural means! Here is just a sampling of what others have to say about the book.

"We purchased *How to Fight Cancer and Win*, and immediately my husband started following the recommended diet for his just diagnosed colon cancer. He refused the surgery that our doctors advised. Since following the regime recommended in the book he has had no problems at all, cancer-wise. If not cured, we believe the cancer has to be in remission."

—Thelma B.

"I bought *How to Fight Cancer and Win* and this has to be the greatest book I've ever read. I have had astounding results from the easy to understand knowledge found in this book. My whole life has improved drastically and I have done so much for many others. The information goes far beyond the health thinking of today."

—Hugh M.

"I can't find adequate words to describe my appreciation of your work in providing *How to Fight Cancer and Win*. You had to do an enormous amount of research to bring this vast and most important knowledge to your readers.

My doctor found two tumors on my prostate with a high P.S.A. He scheduled a time to surgically remove the prostate, but I canceled the appointment. Instead I went on the diet discussed in the book combined with another supplement. Over the months my P.S.A. has lowered until the last reading was one point two."

—Duncan M.

"In my 55 years as a Country Family Physician, I have never read a more 'down to earth,' practical resume of cancer prevention and treatments, than in this book. It needs to be studied worldwide for the prevention of cancer by all researchers who are looking for a cure."

—Edward S.,MD

"As a cancer patient who has been battling lymphatic cancer on and off for almost three years now, I was very pleased to stumble across *How to fight Cancer and Win*. The book was inspiring, well-written and packed with useful information for any cancer patient looking to maximize his or her chances for recovery."

—Romany S.

"I've been incorporating Dr. Budgwig's natural remedy into my diet and have told others about it. Your book is very informative and has information I've never heard about before (and I've read many books on the cancer and nutrition link). Thanks for the wonderful information."

—Molly G.

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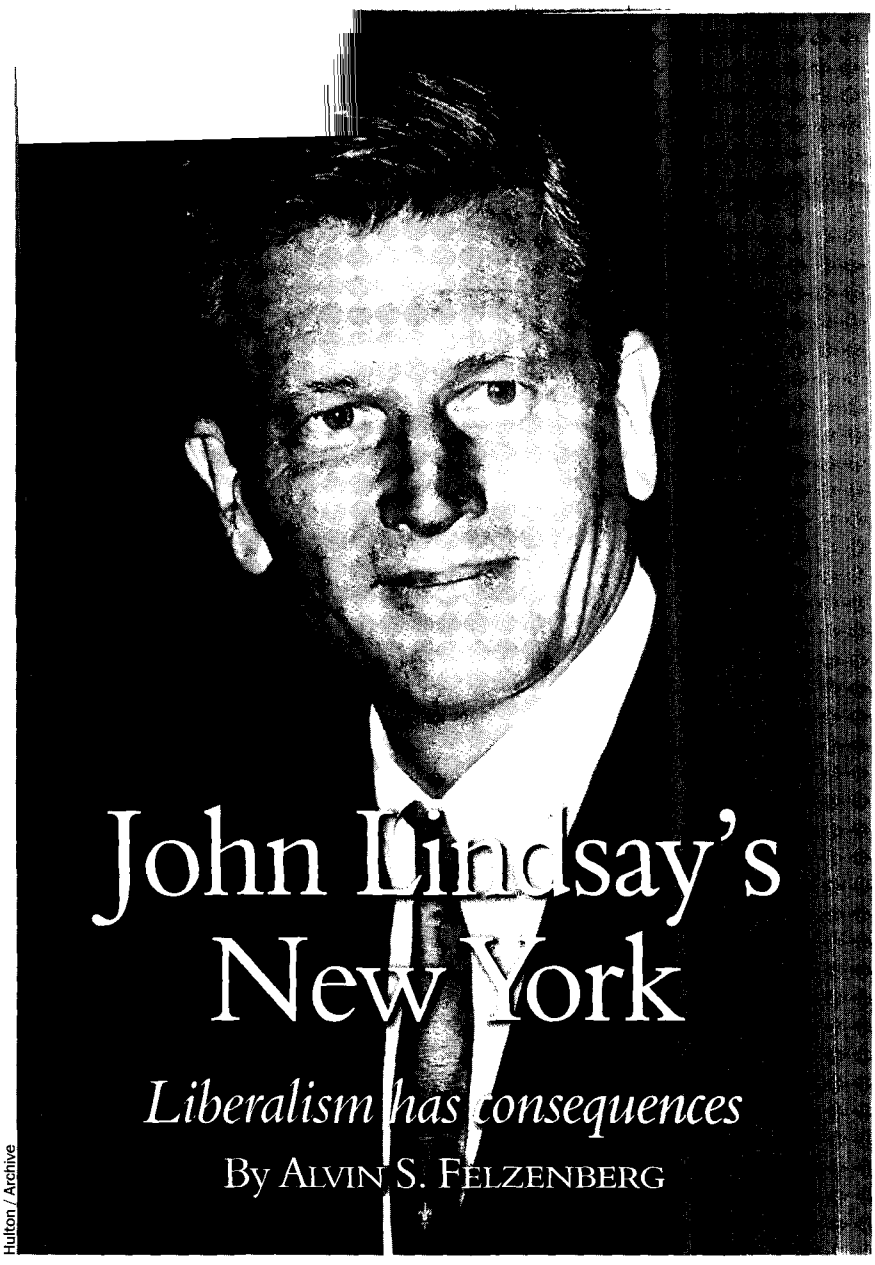

Hulton / Archive

John Lindsay's New York

Liberalism has consequences

By Alvin S. Felzenberg

What David Halberstam did in *The Best and the Brightest* to explain the formation and failure of America's intervention in Vietnam, Vincent J. Cannato has now done in *The Ungovernable City: John Lindsay and His Struggle to Save New York* for the domestic equivalent, the response to the "urban crisis" of the 1960s and 1970s.

Those were the years in which New York descended—in its own perception as well as in that of the rest of the nation—from the elegant city depicted in *Breakfast at Tiffany's*, the safe and whimsical city of *Barefoot in the Park*, to the coarse, atomized, and dangerous place of *Midnight Cowboy*. And the central figure in it all was John V. Lindsay, the 103rd mayor of New York City, who served from 1966 through 1974.

To read Cannato's *The Ungovernable City* is to remember all the craziness of those years. Back again in memory are the transit, teachers', and sanitation strikes. Making a return are the Kerner and Knapp commissions, black militants, urban ethnics, antiwar protesters, the hard-hat counter-demonstrators, uncollected trash, unsafe streets, graffiti-marred subways, and 42nd Street massage parlors. In supporting roles are all the characters whose common bond lay in the delight they derived from adding to the beleaguered young mayor's woes: Governor Nelson Rockefeller, union bosses Michael Quill, Albert Shanker, and John DeLury, former mayor Robert Wagner, columnist William F. Buckley Jr., master builder Robert Moses, President Richard Nixon, and police officers Frank Serpico and David Durk.

The Ungovernable City
John Lindsay and His Struggle to Save New York
by Vincent J. Cannato
Basic, 720 pp., $35

The reform mayor John Vliet Lindsay burst on the stage in 1965, determined to slay whatever dragons were plaguing New York. He departed eight years later, a symbol of unfulfilled promise. At the time of his first election, Lindsay seemed the perfect model for mayors across the country, who parroted his rhetoric, shirt-sleeves campaigning, and "walking tours." Today, the nation's mayors look to Lindsay mostly for reminders of what to avoid. Cannato's book is in part the story of how this came to be: the trials, tribulations, partial successes, and unfulfilled hopes of a famous mayor. But *The Ungovernable City* is, even more, a vivid portrait of the demise of late-twentieth-century liberalism, in all its obsessions.

The qualities Lindsay possessed that made him command such promise—his good looks, his superior education (St. Paul's, Yale, Yale Law School), his ability to lure bright young aides into city government, his capacity to make news in the media capital of the nation, his earnestness and sincerity—enabled him to fail on a grander scale. He used his skills to make New York City a showcase for the latest liberal fads. Academics, eager to push their social theories on the nation, came to regard New York as their special laboratory. In its mayor, they found a ready and willing advocate.

A man with less ambition for his city and himself, with weaker skills and smaller vision, might not have been able to raise taxes as high, increase welfare as much, launch as many programs, enact experiments as bold, extract as much aid from the state

Alvin S. Felzenberg is a presidential scholar at the Heritage Foundation in Washington, D.C.

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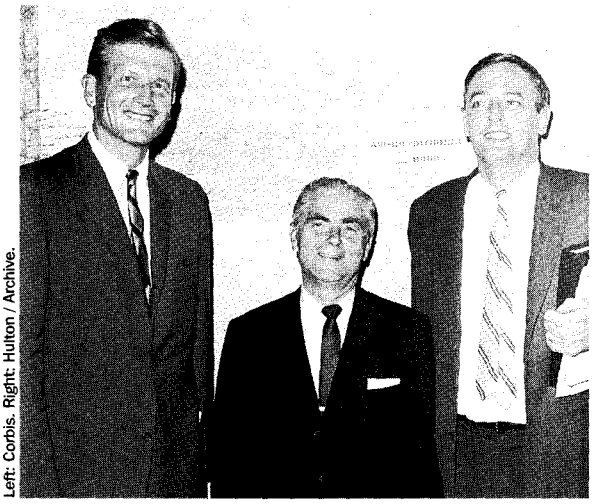

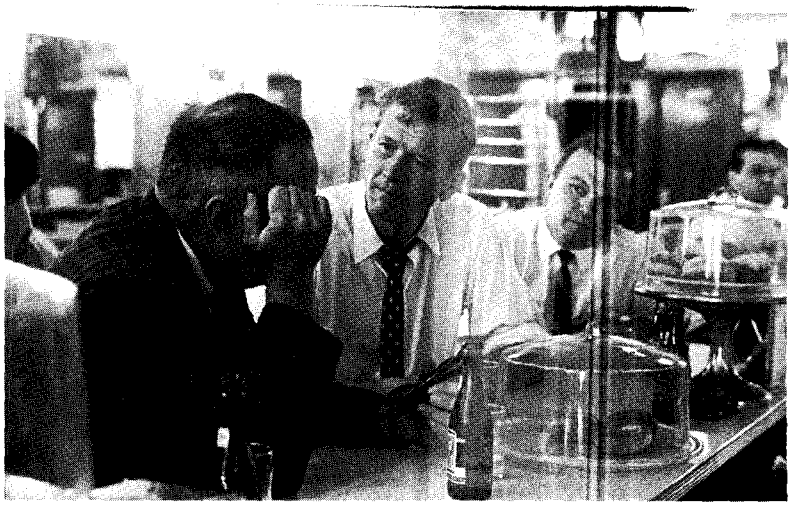

Left: Corbis. Right: Hulton / Archive.

Left: John V. Lindsay, Abraham D. Beame, and William F. Buckley Jr. during the 1965 race. Right: Lindsay campaigns in a diner.

and federal governments, or do as much damage as Lindsay.

Born into an upper-middle-class but far from wealthy family, Lindsay attributed his interest in public affairs to his service as a naval officer in World War II. He quickly caught the attention of the pillars of the eastern establishment, then the dominant force within the Republican party. One of them, Herbert Brownell, Thomas Dewey's former campaign manager and Dwight Eisenhower's attorney general, brought his young protégé to Washington as his executive assistant.

With Brownell's help, Lindsay defeated a more conservative Republican for the GOP congressional nomination in Manhattan's Silk Stocking District in 1958. He won four straight elections by substantial margins, culminating with his 1964 reelection, in which he received 71 percent of the vote, running on the slogan, "The District's Pride, the Nation's Hope." Pundits saw a special significance in that moniker. It signaled that the dashing forty-one-year-old harbored national ambitions. Equally, it suggested his particular brand of Republicanism—pro-civil rights, pro-civil liberties, pro-government intervention in the economy—was on the rise after Barry Goldwater's loss of the 1964 presidential election by what was then the largest margin in history. Some saw in Lindsay's refusal to endorse his party's standard-bearer that year signs of both independence and "prescience."

With Governor Nelson Rockefeller and Senator Jacob K. Javits both poised to seek reelection and newly elected Democratic senator Robert Kennedy not having to face the voters until 1970, Lindsay concluded that the New York mayoralty would be his next stop on his way to the White House. The *Herald Tribune*, then the official mouthpiece of eastern Republicanism, paved his way with its series "New York City in Crisis," which attributed much of the city's decline to the lethargic administration of the incumbent three-term mayor, Robert F. Wagner. Columnist Murray Kempton captured the hopes of Lindsay's supporters when he wrote of the candidate, "He is fresh, and everyone else is tired."

Running on both the Republican and Liberal party tickets and mounting a campaign that practiced the politics of the Tammany sachems he so maligned, Lindsay eked out a victory with 43 percent of the vote. The race attracted enhanced attention by the presence of *National Review* editor William F. Buckley Jr., who articulated a vision for the national, state, and local Republican parties that was the direct opposite of Lindsay's. Most of the debates cast the two registered Republicans against each other, with the Democrat (and eventual mayor) Abe Beame trying to elbow his way in. Buckley's plan for American cities and the Republican party, explained in the book he wrote about his candidacy, *The Unmaking of a Mayor*, prove in retrospect far more prophetic than Lindsay's. But perhaps New York had to hit bottom before Buckley's conservative pronouncements could be appreciated.

Narrowly losing the Republican primary in 1969, Lindsay won reelection as a Liberal and Independent with 41 percent of the vote—campaigning under a motto that lowered rather than raised expectations. Lindsay's "It's the Second Toughest Job in America" perpetuated the myth, now disproved by Rudolph Giuliani, that New York is ungovernable. After his reelection, Lindsay moved steadily to the left. Upping his outspoken opposition to the Vietnam War, he conferred with Chicago Seven radical Tom Hayden about his dovish stand. He became a Democrat, ran a disastrous campaign for the party's 1972 presidential nomination, and returned to New York, his city and his political career in tatters.

The dissonance between Lindsay's high rhetoric and his disappointing actions became apparent quickly. Beset with a strike that shut down the city's buses and subways on his first day in office, Lindsay vowed not to yield to demands of "power brokers" who sought to "dictate terms" to the city. He followed his Churchillian rhetoric with a dramatic "walk to work," designed to rally public support. And then, just as it all was having an effect, Lindsay and his inexperienced negotiators agreed to terms that exceeded the union's wildest expectations. His capitulation enticed all other municipal unions to up their demands.

Lindsay showed his political skill by succeeding in the difficult task of establishing the city's first income tax. But he demonstrated his political naiveté at the same time when he threatened to campaign against suburban legislators who balked at passing a commuter tax. (One volunteered to pay the mayor's expenses to his district.) Lindsay encountered his greatest heartache whenever he allowed the politics of symbolism to determine his

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actions. He did so rather often. It was this propensity that led Richard Nixon to call Lindsay a man perpetually "pregnant with trouble."

Crime offers perhaps the best example. As Cannato tells it, by the time Lindsay left office, the police saw themselves more as bystanders than crime preventers. He argues that they stopped looking for crime—in order to avoid accusations of police brutality or corruption. By his words and some of his deeds, the mayor reinforced suspicions that he was not concerned about the police. He spoke constantly about the "root causes" of crime, he tolerated disorder by student demonstrators, and he was willing to put constituencies he was courting ahead of police safety. (When a police officer was struck down in a mosque after answering an emergency call, Lindsay appeared more concerned that the officer had violated a city pledge that police would not enter Muslim sites without permission than he was with bringing his killers to justice.)

Lindsay's relations with the police deteriorated particularly when he imposed a civilian review board to investigate complaints of police brutality. Lindsay's tendency to view policy disputes in moral terms and to castigate the motives of his adversaries did little to enhance his standing with those who opposed his initiatives.

In *The Ungovernable City*, Cannato insists that the review-board controversies about police brutality and corruption—of the kind immortalized in Hollywood extravaganzas like *Serpico* and *The French Connection*—were media "sideshows" that diverted Lindsay's attention from the fight against crime. He has a point, but Lindsay wasn't entirely wrong to insist a public that loses faith in the integrity of its police is less likely to obey its edicts.

Still, the effect of it all was an increased tolerance for crime. A Lindsay aide, speaking of riot prevention, once declared, "It's better to have a few broken windows than to have this place burn down." That makes a nice apposition to the "broken-windows" theory with which Rudy Giuliani and his first police commissioner, William Bratton, later massively reduced the crime rate in New York—succeeding where Lindsay had failed by insisting upon "zero tolerance" for crime.

Education offers another field in which to evaluate Lindsay. New York's decentralization of its public education and the teachers' strikes that resulted from its brief experiment with "community control" polarized the city in ways that can still be felt. The media presented it at the time as a conflict between a predominantly Jewish teachers' union and black parents who sought a say over what their children were learning. But, in fact, the symbolism that engulfed Lindsay—and his city—obscured the reality.

Mayor Lindsay and Governor Rockefeller

Ocean Hill-Brownsville, one of the city's worst slums, harbored some of its worst schools. Black militants assumed control of the school system as a means of imposing their separatist beliefs. When they dismissed teachers and administrators, United Federation of Teachers president Albert Shanker three times called a city-wide walkout under the pretext of "due process."

Like the radical school administrator Rhody McCoy, Shanker had goals extending well beyond Ocean Hill-Brownsville. Strikes were his means of enhancing collective bargaining, increasing the influence of teachers' unions within the labor movement, and extracting generous contract settlements. Lindsay made clear where his sympathies lay: "The school battle showed us who we actually were. . . . The parents were beginning to demand a place at the table."

The prolonged controversy produced some surprising alliances. Many conservatives, though they had been critical of labor unions during previous municipal strikes, rallied behind the teachers, whom they regarded as victims of black racism. Liberals, especially those who sent their children to private schools, expressed sympathy for the militants. Socialist activist Michael Harrington supported the union in order to enhance "worker solidarity." Some civil-rights leaders, though they had received past support from organized labor, took on the rhetoric of old-fashioned union busters. (In *Sleeper*, a futurist comedy made at the time, Woody Allen has a character who survived a nuclear war explain that it all began when a man named Albert Shanker obtained an atom bomb.)

Lost in the politics and the symbolism was the quality of the education children were receiving. Read today, some of the black activists' complaints against union teachers as "time servers" and Lindsay's criticisms of union officials as bullies would resonate well among conservatives. Most of the new recruits Shanker called "scabs" were idealistic college graduates. Some went to Ocean Hill-Brownsville because they wanted to help minority youngsters. Others sought to evade the draft. Many—today it would be most—came to their tasks better trained than the graduates of conventional education programs they were replacing. Today entire organizations and registries exist just to entice this kind of recruit into classrooms. Had Lindsay recognized all this at the time, he might have been able to transcend ethnic divisions and forge a coalition to raise education standards.

Of all Lindsay's actions as mayor, none was more grounded in his basic philosophy than his attempt to increase welfare. Lindsay believed that the best way to combat poverty was

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Corbis

John Lindsay and Marlon Brando in Harlem, May 2, 1968.

through generous welfare payments. He thought it high civic purpose for the government to transfer wealth from the better off to the less fortunate. He successfully used his powers of persuasion to entice the state and federal governments to increase spending. When that proved insufficient to meet the city's obligations, he began advocating a complete federal takeover of welfare and a national income-maintenance policy. Lindsay termed "workfare" programs (requiring welfare recipients to perform community service) a reversion to the "dark ages" and "unmodern" in thinking. Well into his later years, he continued to insist that the primary way to end poverty was increased spending. "Where there is money there is hope," he maintained.

Lindsay's liberal defenders dismiss as little more than racism the charges that he "gave away the city" during his tenure. To be sure, many New Yorkers, especially in the outer boroughs, felt Lindsay was unconcerned about them. Those sentiments erupted into anger when he toured snowbound parts of Queens after city plows failed to appear days after a storm.

While the snow-removal fiasco may have been the product of incompetence or sabotage by recently striking sanitation workers, the deterioration of the city's parks and open spaces during his tenure was the result of a deliberate anti-middle-class attitude at city hall. Lindsay's parks commissioner, August Heckscher, expressed pride that the city could "boast the most flamboyant street gangs, the most brazen graffiti, and the most sophisticated pimps of any large city." Heckscher declared that he considered vandals as much a part of his constituency as other New Yorkers. "Some of what went for malicious destruction could be seen as an attempt . . . to rectify an error in design or conception," he observed.

The one time Lindsay took a stand against his own administration, he proved powerless to act. He termed "insecure cowards" what others were calling "subway artists," and he insisted that the "life would go out of everyone when they saw the cars defaced" by the graffiti that had suddenly begun to plague New York. Yet at his insistence, the state government assumed control of the subways, and Rockefeller appointees were hesitant to accommodate a mayor who had repeatedly accused their boss of "shortchanging" New York City.

Lindsay and his defenders maintain that his greatest achievement as mayor was preventing in New York an outbreak of the kind of racial disturbances and riots that occurred in Watts, Newark, Detroit, Washington, and elsewhere. Well into his retirement, he insisted that had he taken a tougher stand toward demonstrators and looters, or had his police shown less restraint, the city workers "would still be picking up broken glass."

Cannato believes Lindsay partisans have overstated his success. He points out that several "mini riots" did break out on Lindsay's watch and maintains that Lindsay paid too high a price for this uneasy peace by putting people with criminal records on city payrolls, retaining a known mobster to patrol certain white neighborhoods, and giving city funds to "safety valve" operations like Abbie Hoffman's Yippie parties. But Lindsay may have been on to something. His Los Angeles counterpart, Sam Yorty, took a much firmer stance toward minority unrest. His policies not only contributed to the Watts disturbances of the 1960s, but had effects decades later in the responses to the Rodney King beating and the O.J. Simpson verdict.

Lindsay's concern for civil rights was genuine. As a congressman, he favored the legislation of Kennedy and Johnson. Together with other Republican liberals, he backed speaker Sam Rayburn's attempts to pack the House Rules Committee so its segregationist chairman could no longer bottle up bills. Minority voters rewarded Lindsay for his efforts at the polls. He received 40 percent of the black vote the first time he ran for mayor, and 85 percent when he sought reelection.

As mayor, Lindsay made frequent walking tours through the city, including Harlem and Bedford-Stuyvesant. For many of these neighborhoods, Lindsay was the only figure of authority ever to drop by. Protected by "community activists" his assistants had befriended (in ways Cannato disapproves), Lindsay toured minority areas in the early morning hours after Martin Luther King's assassination. During prison disturbances, some of which included the taking of hostages, the mayor risked his own safety when he went into correctional facilities to negotiate with inmates.

Sadly, Lindsay's views about the *causes* of racial unrest are exactly what prevented him from doing more to improve conditions for his minority constituents. As vice chairman of the Kerner Commission—the National Advisory Commission on Civil Disorders—he pressed for language that placed the blame for the 1967 riots on

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institutional racism. He was also the leading force behind the report's most often cited sentence, "Our nation is moving toward two societies, one black, one white—separate and unequal." Anyone who believed that poor people in general and African Americans in particular are shaped exclusively by impersonal socio-economic forces could not be expected to make the case for self-help, personal responsibility, and community renewal. Lindsay rarely did. He attributed black difficulties to white indifference, and until his death on December 19, 2000, he continued to recommend income redistribution and higher welfare spending as the only solution.

It is intriguing to speculate how Lindsay might have improved the lot of the minorities about whom he cared so much had he preached what later became Republican gospel. Could the John V. Lindsay who palled around with inner-city teens on street corners have made the case for their remaining in school, holding a job, taking responsibility for their children, or staying off drugs? He said some of that, to be sure, but never in a sustained way.

In the end, the promise Lindsay offered New York and cities around the nation went largely unfilled. He failed not because he was a poor politician—though he was; and not because he was a poor administrator and an inept labor negotiator—though those, too, describe him; and not because he was self-righteous—which he certainly sounded; and not because as a WASP he lacked a solid ethnic base—which is also true. Nor were his failings, like Bill Clinton's and Richard Nixon's, rooted in a faulty character. Unlike so many who followed him, he never cashed in on his years of public service. Lindsay took no huge book advances or exorbitant lecture fees, and hawked no commercial products.

The failure of John Lindsay came, simply and solely, from his steadfast belief in the wrong things at the wrong time. He pursued those wrong things with such sincerity, persistence, and courage that he forced them all the way down to their logical—and disastrous—conclusion. ♦

Sex and the Novel

The world according to John Irving.

BY MICHAEL LONG

The dissonance of a John Irving novel—the typically staid John Irving prose used to express the typically steamy John Irving topics—can be overwhelming. It's like listening to a schoolmarm reading aloud the letters to *Penthouse*.

Irving's novels are a parade of cross-dressers, kink freaks, transsexuals, obsessives, adulterers, and romanticizers of incest—with fantasists, fetishists, emotional nomads, and intellectual onanists. If your definition of a good book is a book about sex, then Irving is the place to go, because does this guy ever write about sex. Constantly. Continuously. Prodigiously. Intensely. Religiously—especially religiously. For Irving's characters, sex is a sacrament. It is the gateway to other awareness, other possibility, other consciousness.

Random House

The Fourth Hand
by John Irving
Random House, 368 pp., $26.95

As it turns out, his characters pursue sexual gratification with a peculiarly modern devotion. They go to sex the way a lot of Americans seem to go to church—as a reflexive act, engaged in with little thought, but imagined to be good for the children. For John Irving's characters, sex is the sect, and no one is devout.

Michael Long is a director at the White House Writers Group, a strategy and public-relations firm in Washington, D.C.

The Fourth Hand, Irving's tenth novel, is another exercise in sharply rendered prurience as the driving force of life. Patrick Wallingford, a roguish and immature television reporter whose stories are of the *National Enquirer* bent, has his hand bitten off by a lion. Just after the accident, he dreams a detailed vision of a love affair. At the same time, a woman in Wisconsin—the woman of his dream—offers her husband's body for transplant replacement parts, should an early death befall him, which it soon does. The hand changes owners.

The reporter and the widow are irresistibly drawn to each other; they believe their meeting is destiny. He tries to become worthy of the dream girl; she waits around for him. And in an unrelated plot—it's more of an extended anecdote, really—the lonely, brainy transplant surgeon who performs the operation finds love, too.

If Irving had used a lighter touch, the book might have been a sex farce, like his 1972 novel *The Water-Method Man*. But every moment in *The Fourth Hand* is rendered in tones so earnest, it's clear Irving intends this as A Serious Piece of Literature.

One wishes to ask him how seriously we are supposed to take a book in which even the most mature characters possess the sexual sophistication of a high-school boy on prom night. In *The Fourth Hand*, love arrives first, always,

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and only as sexual attraction. For instance, in Wallingford's dream, his fantasy lover has a voice so provocative that it spontaneously arouses any man who hears it. And when the transplant surgeon hires a live-in housekeeper, she falls in love with him and parades her nubile self around the house naked to get his attention. Not once do two people meet, discover common interests, or flirt. They rut as rite; it is what acquaintances of the opposite sex do just after exchanging names.

John Irving has always been the voice of the libidinous male fantasy, but it seems to have thinned down over the years into nothing except libidinous male fantasy. His stock characters are trotted out—mystical physicians, circus people, seductresses, afflicted animals, poop-hurling joggers, baby-obsessed single women—but without a theme or plot that significantly connects them. They are only riffs on material he's shown us before. (For instance, an early scene in a doctor's office seems a deliberate echo of the encounter between Jenny Fields and the coma patient in *The World According to Garp*.)

And meanwhile, any touch of reality seems to have faded. In *The Fourth Hand*, no one worries about their sexual encounters' possibility of disease or unwanted pregnancy—or what their sex lives might reveal about their lives the rest of the time. Wallingford impregnates a freshly minted Midwestern widow in a doctor's office. Callous as that is of Wallingford, what kind of widow—what kind of woman—is so desperate to get pregnant, and so unmoved by grief, that she rapes a stranger for his fatherhood potential within hours of the death of her dedicated husband?

Surely that deranged woman would act deranged in a few other situations. But in *The Fourth Hand*, Irving's characters engage in sexual distraction and even procreation with all the forethought and consequence of people choosing a candy bar in the checkout line.

Like many contemporary storytellers, John Irving has lately attempted to gain intellectual credibility by being willfully obscure. It wasn't always this way. *The World According to Garp* (1978) ends, "We are all terminal cases." In *The Hotel New Hampshire* (1981), Irving recasts the conclusion of F. Scott Fitzgerald's *The Great Gatsby*: "But this is what we do: We dream on, and our dreams escape us almost as vividly as we can imagine them." And consider the heartbreaking ending of *A Prayer for Owen Meany* (1989): "We did not realize that there were forces beyond our play. Now I know they were the forces that contributed to our illusion; . . . they were the forces we didn't have the faith to feel, they were the forces we failed to believe in—and they were also lifting up Owen Meany, taking him out of our hands. O God—please give him back! I shall keep asking you."

Yet after *A Prayer for Owen Meany*, Irving abandoned these little summaries, joining the club of *seriously* obscure authors in 1994 with *A Son of the Circus*, a mess set in India. He returned to form a little in 1998 with *A Widow for One Year*, reining in the usual Irving menagerie for a rich, if glacially paced, story.

And now, in *The Fourth Hand*, he trims the focus even more to personal stories and internal conflict. But he also returns the cast of crazies to the stage without attaching a clear statement of what their actions mean, and that proves deadly.

You can get a hint from the dust jacket. Even the PR flak couldn't figure the book out: "*The Fourth Hand* asks an interesting question: 'How can anyone identify a dream of the future?' The answer: 'Destiny is not imaginable, except in dreams or to those in love.'"

This is on the order of asking how to cook a pot roast and answering by performing a Brazilian folk dance. (And it's worth noticing that the dust jacket quote is lifted verbatim from Irving's text.) Lots of ideas pop up in the book: a search for identity, the virtues of maturity, the joy of being in love, how much fun it might be to have a nude housekeeper. But none is sustained.

That's a pity, because John Irving is a genuine stylist. In his best moments, he can make crazy situations believable and inspiring, and his writing can show grace and clarity. *The Fourth Hand* might have had more of those moments—if only he dropped his pretense of obscurity and sat down to think about what reality must be like for his hot-and-bothered characters. ♦

The Last Modernist

Robert Venturi's architectural ambivalence.

BY CATESBY LEIGH

No architect since Le Corbusier and Mies van der Rohe has had more impact on his profession than Robert Venturi, whose erudite denunciation of the "puritanically moral language of orthodox modern architecture" was published thirty-five years ago as a slender tome entitled *Complexity and Contradiction in Architecture*. And yet Venturi's theory and practice have served, in the main, to compound the confusion that modernist orthodoxy sowed, as the Philadelphia Museum of Art's recent retrospective abundantly demonstrates. This exhibition of the architecture, urban planning, and decorative art of Venturi and his wife and long-

Catesby Leigh is an architecture critic in Washington, D.C. He contributed "Our Monuments, Our Selves," to the March 5, 2001, issue of THE WEEKLY STANDARD.

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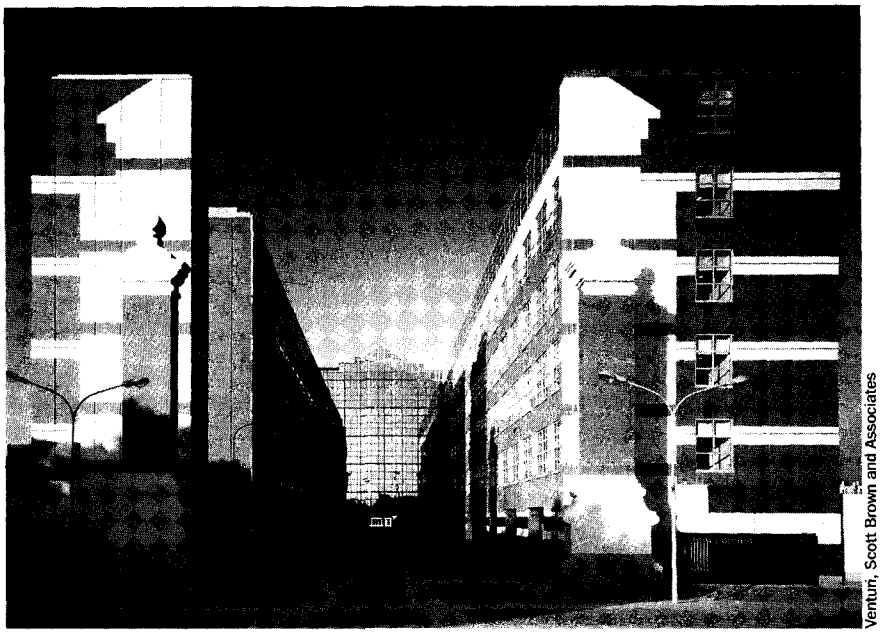
time partner, Denise Scott Brown, will travel to the Museum of Contemporary Art in San Diego and the Carnegie Museum of Art in Pittsburgh next year.

One of the most noteworthy items in the exhibition, entitled "Out of the Ordinary," is a large model of Venturi's first major building, the modestly scaled suburban Philadelphia house he designed for his mother in the early 1960s. It represents Venturi's response to the stultifying rectilinear geometries the current wisdom imposed. The model is certainly arresting—in the sense that the house might pass for a neurasthenia incubator. Its studiously inharmonious interior spaces are contained within bizarre façades with offbeat fenestration and a greenish stucco finish. A door is stashed off to one side of a large entryway; behind the main façade's "representation" of a classical broken pediment, a window is punched through what at first appears to be a large chimney block. Inside, the stairway's railing runs at an oblique angle to the chimney breast abutting the other side of the stairs. Belabored art-historical references abound, starting with the broken-pediment motif and the interior and exterior moldings.

It was by eschewing absolute abstraction and including references to classicism in the design of the Vanna Venturi House that the architect made it a *cause célèbre* within his profession. And yet this pathologically intellectualized structure could hardly engage the interest of the public at large, for its manifold distortions of conventional elements were conceived for cognitive dissonance's sake rather than beauty's. Its design spoke instead to the chosen few engaged in recondite efforts to define the appropriate architecture for contemporary society.

During the nineteenth century, theorists like Viollet-le-Duc increasingly rejected the idea of cultural continuity in favor of the Hegelian notion that architecture should somehow express the essence of its age. This calamitous idea converted the architect from an artist concerned with the imaginative and pleasing use of traditional forms in the design of useful buildings into a sort of oracular sociologist whose mandate was to fathom the deepest significance of modern life and translate his Delphic insights into architectural form. A world-view grounded in the redemptive potential of science and social policy encouraged Le Corbusier, Mies, and other modernist pioneers to reject classical architecture's profoundly anthropomorphic qualities. Similarly undermined was the sense of an ideal, other-worldly life underlying our transient earthly sojourns that traditional architecture, Gothic as well as classical, had always imparted.


Venturi, Scott Brown and Associates

Venturi's Provincial Capitol Building, Toulouse, France.

The modernist pioneers aspired instead to an architecture conceived in mechanical rather than anthropomorphic terms—an architecture whose expressive elements were *scientifically* required, in principle at least, to have a structural function. Their ideal architecture, in short, was to conform to as ruthlessly realistic a formula as ever was inflicted on an art form. The glass and steel office-building-box was the direct result of this hopelessly paradoxical formula, and so was the ubiquitous irruption of sterility and ugliness in America's downtowns and suburban office parks.

This was the modernist world into which Robert Venturi was born—and which he rejected. But he never addressed the root of the problem. He simply espoused a different approach to modernism. The puritanical Moderns had said that classical architectural elements were meaningless and should therefore be abandoned. Venturi said that classical architectural elements could be meaningful, but only if they were distorted. The architect, Venturi asserted, should use "conventional elements unconventionally"—and with his mother's house, he certainly did. It was an effective retort, in its way, to the hyper-reductionist "high-design" boxes of that time, but it failed to reconnect architecture with its enduring human meaning.

Another widely noted Venturi project from the 1960s is a federally subsidized residential facility for the elderly called Guild House. Also located in Philadelphia, the structure is very different from the brutal apartment blocks that "urban renewal" often brought in its train. Guild House was conceived as a variation on the plain old brick-clad postwar apartment building. It boasts such familiar, rudimentary features as metal-framed double-hung windows, an expanse of glazed white brick at the entrance level, and a sign identifying the facility in big block letters.

At the same time, its central façade is a weird sort of billboard whose flatness is emphasized by little slits in the brick masonry at the top, and whose arrangement of balconies surmounted by lunette windows lends an oddly abstract, totemic quality. Guild House

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was originally crowned by a gold-anodized aluminum sculpture of an antenna—"a symbol," Venturi wrote in *Complexity and Contradiction*, "of the aged, who spend so much time looking at T.V." (That little exercise in socio-realism backfired, however, as the antenna was taken for a snide gesture and promptly removed.) For Venturi, Guild House is not "heroic and original" but "ugly and ordinary." It reflects the notion of employing architectural elements that can register with more than one "taste culture"—in this case, a community of elderly people of limited means as well as Venturi's professional peers. (The concept of "taste cultures" Venturi and Scott Brown acquired from the sociologist Herbert Gans.)

Ray Gindroz and other New Urbanist architects have in recent years designed public housing projects as mixed-income neighborhoods, variously consisting of row houses, modest detached residences, and apartment buildings. These projects embody cherished regional building traditions that people *want* to shape their surroundings, rather than the ugly and ordinary architecture that they all too often *have* to live with.

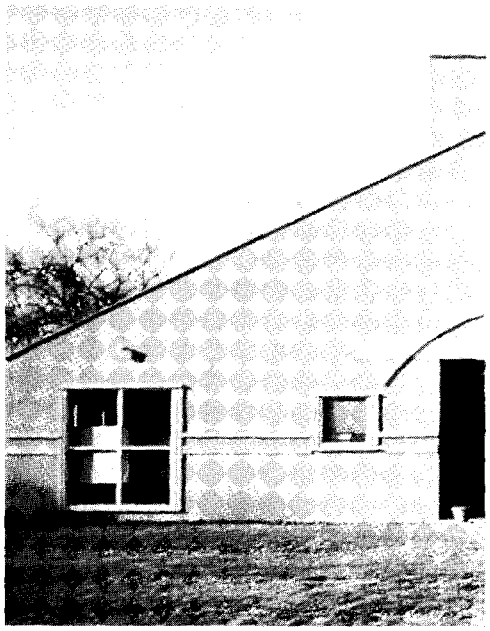
But Robert Venturi and Denise Scott Brown prefer merely to *refer* to historic architectural styles. Indeed, they introduced the literary concept of "reference" in architecture. Instead of advocating design which makes its case on essentially formal and artistic terms, the Venturis compounded the modernist fallacy by espousing an "architecture of meaning" which would expand the range of associative values or references available to architects.

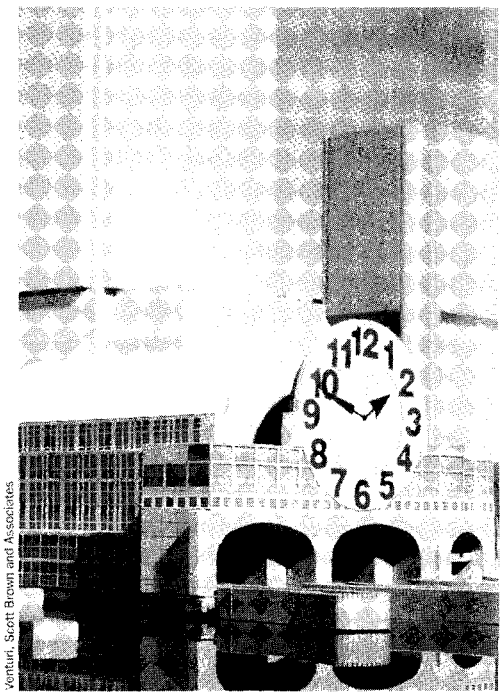
Modernism before them had restricted itself to the secularized ascetic ideal of "high culture." The Venturis would add symbols derived from Levittown and pop-culture Las Vegas, along with the pop art of Rauschenberg and Warhol—thus making buildings "hybrid rather than 'pure,'" buildings that were "difficult wholes" endowed with "messy vitality" rather than oppressively simplistic entities. Moreover, their work would offer a sort of running commentary, whimsical and ironic in tone, on the condition of architecture in the age of mass production.

Rather than a brave new world, the Venturis saw a flat new world of billboards, neon signs, and T.V. screens. They accordingly flattened their anti-heroic architecture, thereby reducing their design to a matter of applied sociology in the best modernist tradition. Hence the characteristic absence of three-dimensional ornamental detailing on their buildings. Diaper patterns in glazed brick, façades covered with red-and-white checkerboards, crude geometric abstractions of traditional ornamental motifs—all involving flat or nearly flat surfaces—figure on the buildings Venturi has designed for prestigious universities since the 1970s.

His huge new 866,000-square-foot government complex in Toulouse, France, consists of two long buildings enclosing a pedestrian street. The ends of the bright-red-brick-and-limestone buildings boast fragments of a sign-board-rendition of a traditional structure with a pitched roof, and the motif is filled out in the profiles of the flat, glass-clad, multi-story pedestrian bridges set well inside the complex. One entrance also boasts a pair of what resemble chainsaw-sliced slivers of free-standing columns. Even the chairs Venturi has designed (included in the exhibition) consist mainly of parodies of familiar styles such as the Chippendale, Sheraton, and Queen Anne. Their profiles are simplified and distorted while backs, seats, and legs are flattened into two-dimensional planes of laminated wood and plastic. The paint jobs on these chairs are jokes in Venturi's studiously cultivated poor taste.

The lamentable consequences of the Venturis' fealty to the modernist idea of the architect as a sociological shaman has extended far beyond their buildings and furnishings. As noted in the exhibition catalogue—which, if not enlightening, is at least informative—a critic wrote of the Vanna Venturi House as far back as 1965, "The whole, in its studied disjointedness, appears to express the discontinuity and fragmented quality that characterize contemporary life."





Venturi, Scott Brown and Associates

Venturi's model for the Whitehall Ferry Terminal. Top: The Vanna Venturi House.

The conclusion is obvious. Venturi has no use for deconstructionist and other hyper-expressionistic architecture, which revolves around sculptural pyrotechnics rather than a generally applicable approach to design. But his rarefied semiotics laid the foundations for buildings like Frank Gehry's Guggenheim Museum in Bil-

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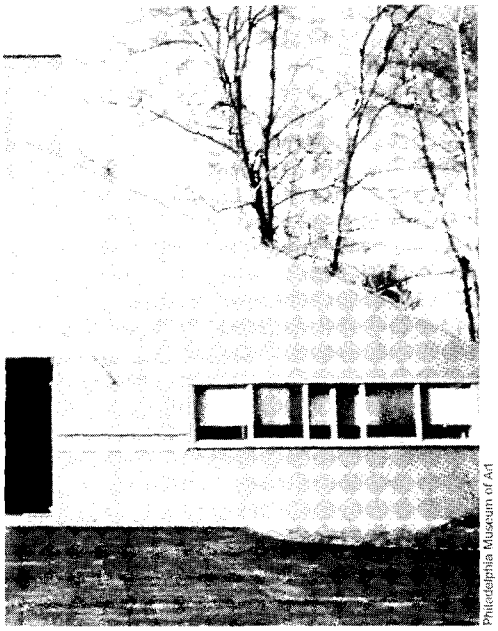

Philadelphia Museum of Art

bao, where the whole mess "refers" to the "discontinuity and fragmented quality that characterize contemporary life."

Indeed, the classical vocabulary of the nineteenth-century National Gallery facing London's Trafalgar Square is deconstructed in Venturi's major addition, the Sainsbury Wing, which was completed in 1991. This addition represents the most important British commission ever obtained by an American, and here Venturi's vaunted principle of "contextualism"—of designing new city buildings with due regard for their preexisting neighbors—inspired him to offer a tortured echo of the classical colonnades and pilasters of the original building. When seen at a distance from the great square, the Sainsbury Wing is simply an ungainly mass clad in the same white Portland stone as its neighbor. Its most eye-catching element is the series of gaping rectilinear entrance openings cut out of the façade in order to emphasize "the almost sports-palace quality" (to use the Venturi expression) of a great museum's place in contemporary life—a perfect instance of a Venturi editorial touch that is sociological rather than artistic.

Coming closer, one sees that Venturi's Corinthian capitals replicate those on the original building. But his pilasters' staccato arrangement is deliberately jarring, and a lone, out-of-place engaged column—a reference to the Nelson column in Trafalgar Square that is lost on the uninitiated—strikes another discordant note. A classical balustrade, cornice, dentils, and string courses make similarly irregular appearances, then vanish. Blind windows grow shallower. Finally, nothing in the way of surface enrichment remains save a dado capped by a molding and a slight, sheer protrusion in the wall just above. The past has gone nuts, then dissolved into a mute, abstract present.

Now that they've reached the autumn years of their long practice, the Venturis are perhaps somewhat uneasy about their legacy. (He is seventy-six; she will turn seventy in the fall.) They've parted with high-profile commissions over the last decade. Staten Island borough president Guy Molinari canned their competition-winning design of 1992 for a new Whitehall Ferry Terminal, whose centerpiece was a gigantic electronic signboard in the form of a clock emblazoned with the seal of New York City. The inordinately ordinary façades they proposed for Philadelphia's Orchestra Hall cost them an important hometown job, which has been entrusted to a heroic and original modernist, Rafael Viñoly.

The Venturis feel they shouldn't be blamed for postmodern icons like Philip Johnson's slick 1984 AT&T (now Sony) Building in midtown Manhattan, with its famous ersatz-classical "Chippendale" pediment looming over the skyline, let alone the epidemic of crapulous Art Deco knock-offs that has afflicted the nation in recent years. It's true that mainstream postmodernism has generally been more banal and ingratiating than the Venturis' architecture. But the fact remains that postmodern architects have routinely found theoretical justification in the familiar terms of historical "reference" and "allusion"—and these days it matters much less whether a building appeals to the senses than whether the theoretical baggage with which it is laden is *au courant.*

Complexity and Contradiction is nevertheless an especially thought-provoking and learned book, even for those who don't subscribe to the author's viewpoint. It will endure. Venturi's generously illustrated argument embraces a great many traditional buildings, and it has contributed in some measure to the modest classical resurgence now underway.

But his cultural realism stripped his architecture not merely of transcendent value, but of dignity and gravity. It is aesthetically flat, and structural realism is a factor here as well. Indeed, Scott Brown once declared, "You should know what the real building consists of beneath the skin." According to this absurd mechanistic principle, we should somehow perceive that chains hold up the dome Michelangelo designed for St. Peter's, and that Whitney Warren erected the gorgeous masonry mass of Grand Central Station on a steel frame. Alas, what the Philadelphia retrospective brings home is that the emotional power of the great tradition in Western architecture is irrelevant to the Venturis' work.

That tradition's power lies primarily in its aesthetic resonance—its engagement with instinctive, enduring human preferences regarding mass, space, profile, and surface enrichment. This resonance is the reason normal people tend to subscribe to the principle of cultural continuity in architecture. It's also the reason the modernist juggernaut has triggered the rapid growth of the historic preservation movement in recent decades.

But for intellectual and even psychological reasons, modernist architects cannot accept such continuity. They look askance at the traditional work being done by a growing number of New Urbanists who understand that in architecture, sociological considerations should begin and end with the programmatic necessities buildings must satisfy.

Such work is an affront not only to their sense of modernity's significance but also to their sense of self and their "creative" prerogatives. And much as he might pretend to make light of them, Robert Venturi takes those prerogatives very seriously indeed. ♦

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President Bush is set to announce a series of initiatives designed to "foster community spirit and family values," administration officials said. Among the proposals: use of the presidential "bully pulpit" to encourage news organizations to "increase reporting of good news."

—Washington Post, July 29, 2001

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Newsline

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"He's still an a*****e . . . big time," Prez says of fallen newsman. 3A

McCain to join Trappists
Az Sen will take vow of silence. 9D

Rangers sweep Braves in World Series
ARod announces engagement to Jenna. 1C

Jeffords mauled by dairy cows

Recount shows Bush won big in Florida

Margin tops 8 million votes, study proves; Bush "won fair and square," says DNC's McAuliffe.

the weekly Standard
August 13, 2001

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Preparing for the Computer Wars

Bruce Berkowitz is a research fellow at the Hoover Institution.

If you believed press reports earlier this year, Chinese technogeeks were preparing to bring down the Internet by jamming American web sites. Supposedly they were upset over the up-close-and-personal encounter between our EP-3E surveillance aircraft and their fighter jet over the South China Sea.

Alas, "Hack the USA Week" was a bust and may have been mainly media hype in any case. As it turned out, only a few United States web sites with sloppy security were defaced with graffiti.

That's the good news. The bad news is—as with last year's Love Bug virus attacks—these pranks are diverting attention from a more serious problem. **The real threat is not the hackers you see; it's the ones you don't.**

Military organizations in several countries are busy developing capabilities for computer network attacks. There is also a growing international trade among terrorists in "hackers for hire." Corporate spies and organized crime are getting into the act too.

These pros are developing tools to steal data and win wars. Professional info-warriors spend months probing targeted networks. When they crack into a network, they don't publicize their success. They exploit it.

If a crisis were to break out—say, a conflict between the United States and China over Taiwan—these specialists could attack U.S. computer networks to intimidate American leaders or complicate military mobilization. Terrorists could use computer warfare to hamstring civil defense workers and police responding to bombings and other attacks.

The most likely targets would not be military networks but commercial and civilian infrastructure—the computers that control transportation systems, financial networks, communications, and the like. Commercial systems are usually easier to dial into and less secure. Civilian operators are also less aware of hard-core computer warriors and terrorists.

Fortunately, there is time to prepare. Even more important, this is one area in which the military services, U.S. industry, civil libertarians, and the public all share common interests.

The technology and security measures that make it harder for cyberterrorists and computer warriors are the same measures that would protect the privacy of individuals and the safety of electronic commerce: strong encryption, easy-to-use security software, and better education about the threat.

Everyone would be better off if we also had better planning that allowed businesses, the military, and law enforcement officials to work together. For this to happen, the public needs to be able to trust both government and industry—which means we need effective oversight.

Finally, **the government needs to adopt policies that let U.S. companies remain predominant in the global information economy.** It will be easier to fend off insider threats if more software and hardware are designed in the United States, not in some other countries one can think of.

In today's deregulated, global economy, information industry companies can set up shop almost anywhere. The United States needs policies that attract the best businesses and let them compete effectively. It has been said that computer warfare is the dark side of the information revolution. With a little effort, sensible policies, and good faith, we can prepare.

— Bruce Berkowitz

Paid for by the Hoover Institution, Stanford University.

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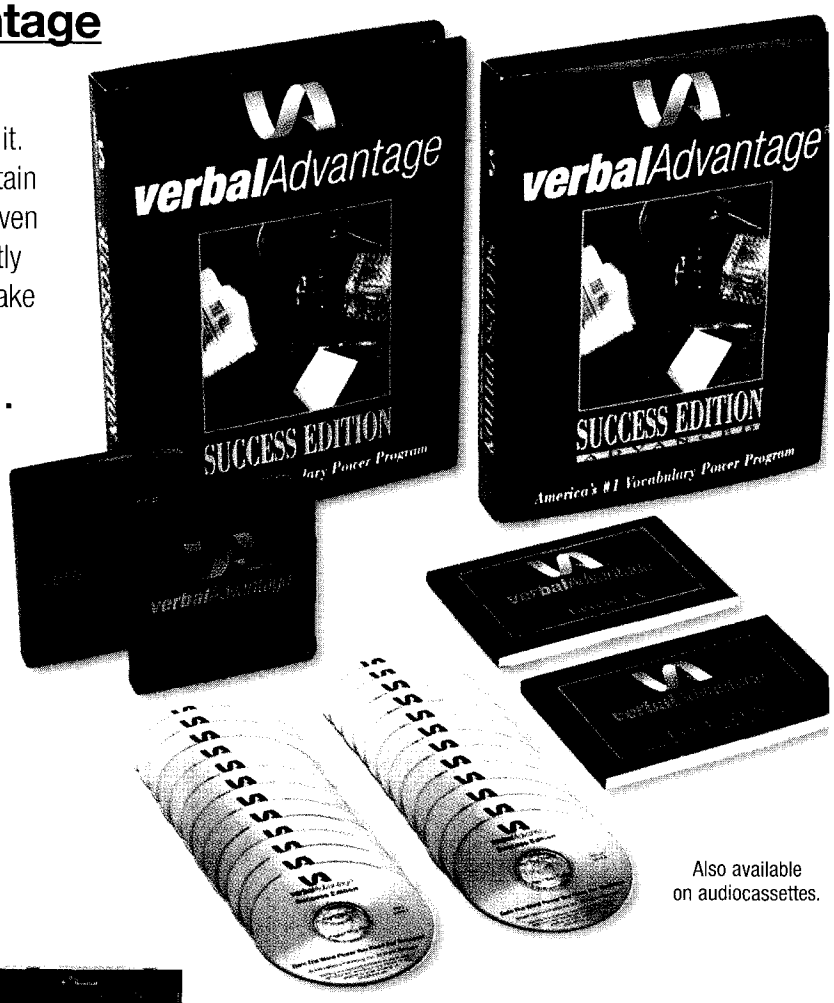

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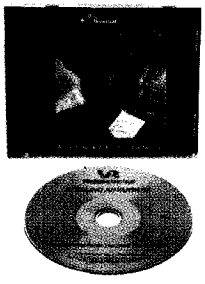

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